

Bills have carefully examined and compared

Senate bill No. 253, A bill to be entitled "An Act to amend Article 4577, Chapter 13, Title 94, of the Revised Statutes of the State of Texas, 1895, relating to railroads, and declaring an emergency,"

And find the same correctly engrossed.
CUNNINGHAM, Chairman.

SEVENTIETH DAY.

Senate Chamber,
Austin, Texas,
Thursday, April 11, 1907.

Senate met pursuant to adjournment.
Lieutenant Governor A. B. Davidson
in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Wednesday, on motion of Senator Barrett, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

SIMPLE RESOLUTION.

By Senator Chambers:

Be it resolved by the Senate of the State of Texas, That no Senator shall be permitted to speak on any subject during remainder of this session, except by unanimous consent; provided, that the adoption of this resolution shall not prevent the person calling up bill five minutes in which to explain the merits thereof.

The resolution was read, and adopted.
Morning call concluded.

RULES AMENDED.

Senator Looney here called up the following notice of amendment to the Rules

of the Senate, the same having been published in the Journal of yesterday.

Notice is hereby given that an amendment to Senate Rule XXX, as amended and printed in Senate Journal February 26, 1907, page 416, will be and is hereby offered so as to make it read that no vote shall be taken upon the passage of any bill within the last twenty-four hours of the session, unless it be to correct errors therein, to concur in House amendments or to adopt conference or Free Conference Committee reports.

LOONEY,
SKINNER.

On motion of Senator Looney, the amendment to the Rules was adopted by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.

Nays—1.

Stokes.

Absent.

Cunningham. Willacy.

CONFERENCE COMMITTEE REPORT.

Committee Room,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, to whom was referred

Senate bill No. 65, A bill to be entitled "An Act to create a State Text-Book Board, and to procure for use in the public free schools of the State of Texas a series of uniform text-books, defining the duties of certain officers therein named; making an appropriation therefor; defining certain misdemeanors providing for a bond for the faithful performance of the contract, and to cover liquidated damages for fraud or

collusion, and authorizing the Attorney General to bring suit therefor; and providing penalties for violations of the provisions of this act."

Have had the same under consideration, and beg to report that we have failed to agree upon an adjustment of differences between the two houses, but we also report and submit that if given the power and authority of a Free Conference Committee we believe that an agreement can be reached by us, and we therefore ask that such authority be granted by the two houses to said committee.

SKINNER,
HARPER,
SENER,
HUDSPETH,
BARRETT,
On part of the Senate.
ALDERDICE,
BELL of Freestone,
DAVIS of Brazos,
BALLENGEE
GAFFORD.
On part of the House.

Senator Harper moved that the powers of the above conference committee be extended to that of a Free Conference Committee, as recommended by the above report.

The motion prevailed.

SIMPLE RESOLUTION.

By Senator Murray:

Whereas, The oil paintings of all our Governors have been hung in the rotunda of the Capitol building, where they are exposed to atmospherical changes and deteriorating effect of reflect rays of light; and

Whereas, Oil paintings are not made for today only, but are intended for future generations; therefore, be it

Resolved, That the Superintendent of Public Buildings and Grounds be and he is instructed to remove said oil paintings, and replace them in the Supreme Court Library, where they were originally hung.

MURRAY,
STONE.

The resolution was read and laid on the table subject to call.

SENATE CONCURRENT RESOLUTION NO. 7—COMMITTEE REPORT ON.

Senator Stone called up the following special committee report:

Committee Room.

Austin, Texas, April 9, 1907.

Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: Your committees, appointed by the Senate and House of Representatives, respectively, under the terms and provisions of Senate Concurrent Resolution No. 7, "To investigate the cost of the life-size portrait of David Crockett now hanging on the walls of the first floor of the Capitol, and which is the property of Mrs. Huddle, with the view of purchasing the same," beg leave to report that they have performed the duty assigned them under said resolution and said appointment, and that Mrs. Huddle, the owner of said picture, offers to sell the same to the State for the sum of \$5000, and your committees are advised that the painting is a very superior work of art and reasonably worth said sum, and the same should become the property of the State, and they respectfully recommend that said painting be purchased from Mrs. Huddle at the said sum, \$5000.

Respectfully submitted,

STONE,
BARRETT,
WILLACY.

Senate Committee.
ROBERTSON of Travis,
COBBS,
BRYAN,

House Committee.

Senator Stone moved the adoption of the report, and Senator Looney moved to table the report.

Action being on the motion to table, which motion was adopted by the following vote:

Yeas—14.

Alexander.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Greer.	Meachum.
Griggs.	Paulus.
Grinnan.	Skinner.
Harbison.	Stokes.

Nays—13.

Barrett.	Murray.
Faust.	Smith.
Glasscock.	Stone.
Green.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	

Present—Not Voting.

Cunningham. Willacy.
Senter.

Absent.

Harper.

HOUSE BILL NO. 307.

On motion of Senator Murray, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 307.

The Chair laid before the Senate, on second reading,

House bill No. 307, A bill to be entitled "An Act to amend Article 4943, Title CII, Chapter 3, of the Revised Civil Statutes of the State of Texas, providing for butchers' reports."

On motion of Senator Murray, the committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and passed to a third reading.

HOUSE BILL NO. 15.

On motion of Senator Brachfield, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 15.

The Chair laid before the Senate, on second reading,

House bill No. 15, A bill to be entitled "An Act providing for the health and safety of persons in and around mines, and for creating a State Mining Board and the office of State Mining Inspector, and defining the duties of such inspector."

The bill was read third time and passed.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 501.

On motion of Senator Faust, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 501.

The Chair laid before the Senate, on second reading,

House bill No. 501, A bill to be entitled "An Act to amend Articles 2437 and 2441 of the Revised Civil Statutes of the State of Texas, 1895, and Section 10, Chapter 3, of the Regular Session of the Legislature of 1905, to authorize the Commissioner of the General Land Office to charge certain fees, with a view of making the Land Office self-sustaining."

On motion of Senator Faust, the com-

mittee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Faust, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Masterson.
Barrett.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Harbison.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	

Absent.

Brachfield.	Harper.
Grinnan.	Willacy.

The bill was read third time, and passed.

Senator Faust moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 147.

Senator Barrett called up House bill No. 147, on third reading.

The Chair laid before the Senate, on third reading,

House bill No. 147, A bill to be entitled "An Act to amend Sections 36, 37 and 40 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to county supervision of public schools."

Senator Watson offered the following amendment:

Amend the bill, page 1, by striking out all after the word "qualified," in line 19, down to and including the word "office," in line 20 of the original bill, and inserting in lieu thereof the following: "The commissioners court of every county in this State shall, upon the petition of 200 qualified voters of the county, order an election to determine whether or not a county superintendent of public instruction shall be elected, and if such election is in favor of electing such county superintendent of public instruction the commissioners court shall provide for the

election of county superintendent of public instruction at the next general election, and the commissioners court of every county shall, upon the petition of 200 qualified voters of the county, submit to the people of the county at a general election the question as to whether or not the office of county superintendent of public instruction shall be discontinued."

Senator Barrett moved to table the amendment, which motion to table prevailed by the following vote:

Yeas—15.

Alexander.	Kellie.
Barrett.	Looney.
Cunningham.	Masterson.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Harbison.	Veale.
Harper.	

Nays—13.

Brachfield.	Murray.
Chambers.	Paulus.
Faust.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Holsey.	Watson.
Mayfield.	

Absent.

Hudspeth.	Willacy.
Meachum.	

The bill was read third time, and passed by the following vote:

Yeas—16.

Alexander.	Harper.
Barrett.	Looney.
Cunningham.	Masterson.
Glasscock.	Meachum.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Harbison.	Veale.

Nays—13.

Brachfield.	Murray.
Chambers.	Paulus.
Faust.	Stokes.
Grinnan.	Stone.
Holsey.	Terrell.
Kellie.	Watson.
Mayfield.	

Absent.

Hudspeth.	Willacy.
-----------	----------

Senator Barrett moved to reconsider

the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House bill No. 142, and a Free Conference Committee is requested. The following have been appointed on part of the House: Messrs. Nelson of Hopkins, Stephenson, Love of Williamson, McGregor and Wolfe.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 353.

On motion of Senator Veale, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 353.

The Chair laid before the Senate, on third reading,

House bill No. 353, A bill to be entitled "An Act to create a more efficient road system for Childress county, Texas."

The bill was read third time, and passed.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 336.

On motion of Senator Grinnan, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 336.

The Chair laid before the Senate, on second reading,

House bill No. 336, A bill to be entitled "An Act to provide for an eight-hour day for railroad telegraphers."

On motion of Senator Grinnan, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Grinnan, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Mayfield.
Glasscock.	Meachum.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	

Nays—4.

Chambers.	Murray.
Faust.	Stone.

Absent.

Stokes.	Willacy.
---------	----------

The bill was read third time, and passed.

Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 379.

On motion of Senator Cunningham, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 379.

The Chair laid before the Senate, on second reading,

House bill No. 379, A bill to be entitled "An Act changing the official title of the State Fish and Oyster Commissioner to Game, Fish and Oyster Commissioner; providing for his salary, and fixing his additional duties, and to repeal all laws and parts of laws in conflict herewith."

On motion of Senator Murray, the committee report, which provided that the bill be not printed, was adopted.

Senator Terrell offered the following amendment:

Amend the bill by adding to Section 14 the following: "Provided, the provisions of this bill shall not apply to the following counties: Morris, Bowie, Cass and Marion."

On motion of Senator Cunningham, the amendment was tabled.

Senator Looney offered the following amendment:

Amend the bill by adding to Section 6 the following: "And the said commissioner and his deputies shall not be paid out of any other fund."

Senator Cunningham moved to table the amendment, which motion to table was lost by the following vote:

Yeas—14.

Alexander.	Hudspeth.
Barrett.	Murray.
Chambers.	Paulus.
Cunningham.	Senter.
Faust.	Skinner.
Green.	Stone.
Grinnan.	Veale.

Nays—15.

Brachfield.	Looney.
Glasscock.	Masterson.
Greer.	Mayfield.
Griggs.	Meachum.
Harbison.	Smith.
Harper.	Stokes.
Holsey.	Terrell.
Kellie.	

Absent.

Watson.	Willacy.
---------	----------

The amendment was then adopted.

Senator Terrell offered the following amendment:

Amend the bill by striking out the enacting clause.

Senator Cunningham moved the previous question on the amendment, and the bill, which motion being duly seconded was so ordered.

The amendment was then lost.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—23.

Alexander.	Looney.
Barrett.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Veale.
Hudspeth.	Watson.
Kellie.	

Nays—7.

Brachfield.	Masterson.
Glasscock.	Smith.
Harbison.	Terrell.
Holsey.	

Absent.

Willacy.

On motion of Senator Cunningham, the constitutional rule requiring bills to be read on three several days was sus-

pending, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Veale.
Hudspeth.	Watson.

Nays—6.

Glasscock.	Masterson.
Harbison.	Smith.
Holsey.	Terrell.

Absent.

Willacy.

The bill was read third time, and passed.

Senator Cunningham moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 727.

On motion of Senator Harbison, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 727.

The Chair laid before the Senate, on second reading,

House bill No. 727, A bill to be entitled "An Act to authorize any county or any political subdivision of a county, upon a vote of two-thirds majority of the resident property taxpayers voting thereon, who are qualified electors of such county or political subdivision of the county, to issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision thereof, and to levy and collect taxes to pay the interest on said bonds, and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled and paved roads and turnpikes, or in aid thereof."

On motion of Senator Harbison, the committee report, which provided that the bill be not printed, was adopted.

Senator Senter offered the following amendment:

Amend Section 1, line 3, of the bill by substituting the words "one-eighth" for "one-fourth," and amend Section 2 by substituting the words "one-eighth" for "one-fourth," in line 9, of said section.

On motion of Senator Harbison, the amendment was tabled.

The bill was read second time, and passed to a third reading.

HOUSE BILL NO. 740.

On motion of Senator Greer, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 740.

The Chair laid before the Senate, on second reading,

House bill No. 740, A bill to be entitled "An Act amending the general and special road law in force in Smith county, Texas, by adding thereto the following, authorizing the commissioners court of said county to appoint a county superintendent, or commissioners precinct public road superintendent for said county, defining the powers and duties of public road superintendent, and repealing all laws and parts of laws in conflict herewith."

On motion of Senator Greer, the committee report, which provided that the bill be not printed, was adopted.

Senator Greer offered the following amendment, which was adopted:

"Sec. 4. The fact that there exists no adequate provision of law on this subject creates a public necessity and emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the rule is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Griggs.
Barrett.	Grinnan.
Brachfield.	Harbison.
Chambers.	Harper.
Cunningham.	Hudspeth.
Faust.	Looney.
Glasscock.	Masterson.
Green.	Meachum.
Greer.	Murray.

Paulus.
Senter.
Skinner.
Smith.
Stokes.

Stone.
Terrell.
Veale.
Watson.

Absent.

Holsey.
Kellie.

Mayfield.
Willacy.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.
Barrett.
Brachfield.
Chambers.
Cunningham.
Faust.
Glasscock.
Green.
Greer.
Griggs.
Grinnan.
Harbison.
Harper.
Hudspeth.

Kellie.
Looney.
Masterson.
Meachum.
Murray.
Paulus.
Senter.
Skinner.
Smith.
Stokes.
Stone.
Terrell.
Veale.
Watson.

Absent.

Holsey.
Mayfield.

Willacy.

Senator Greer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 489.

On motion of Senator Stokes, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 489.

The Chair laid before the Senate, on second reading.

House bill No. 489, A bill to be entitled "An Act to amend Section 1, Chapter 161, Acts of the Twenty-ninth Legislature, entitled 'An Act to provide for the appointment and qualification of a county auditor in any county having therein a city with a population of 25,000 and over; providing for the manner of appointment; the duties of said officer; the compensation allowed; making this act cumulative of other provisions in the present laws; and repealing all laws and parts of laws in conflict therewith, and declaring an emergency.'"

On motion of Senator Stokes, the committee report, which provided that the bill be not printed, was adopted.

(Senator Brachfield in the chair.)

Question—Shall the bill pass to a third reading?

The bill was read second time, and passed to a third reading by the following vote:

Yeas—16.

Alexander.
Chambers.
Cunningham.
Glasscock.
Green.
Griggs.
Harper.
Holsey.

Hudspeth.
Looney.
Meachum.
Paulus.
Senter.
Skinner.
Stokes.
Veale.

Nays—8.

Brachfield.
Faust.
Grinnan.
Kellie.

Murray.
Smith.
Stone.
Terrell.

Absent.

Barrett.
Greer.
Harbison.
Masterson.

Mayfield.
Watson.
Willacy.

On motion of Senator Stokes, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—20.

Alexander.
Chambers.
Cunningham.
Glasscock.
Green.
Greer.
Grinnan.
Harper.
Holsey.
Hudspeth.

Kellie.
Looney.
Meachum.
Paulus.
Senter.
Skinner.
Stokes.
Terrell.
Veale.
Watson.

Nays—4.

Brachfield.
Faust.

Smith.
Stone.

Absent.

Barrett.
Griggs.
Harbison.
Masterson.

Mayfield.
Murray.
Willacy.

The bill was read third time, and passed by the following vote:

Yeas—20.

Alexander.
Chambers.
Cunningham.

Glasscock.
Green.
Greer.

Griggs.	Meachum.
Harbison.	Paulus.
Harper.	Senter.
Holsey.	Skinner.
Hudspeth.	Stokes.
Kellie.	Veale.
Looney.	Watson.

Nays—7.

Brachfield.	Smith.
Faust.	Stone.
Grinnan.	Terrell.
Murray.	

Absent.

Barrett.	Mayfield.
Masterson.	Willacy.

Senator Stokes moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 684.

On motion of Senator Kellie, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 684.

The Chair laid before the Senate, on second reading,

House bill No. 684, A bill to be entitled "An Act to provide for reorganizing Port Arthur Independent School District, in Jefferson county, Texas."

On motion of Senator Kellie, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time and passed to a third reading.

On motion of Senator Kellie, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Alexander.	Hudspeth.
Brachfield.	Kellie.
Chambers.	Looney.
Cunningham.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Veale.
Harbison.	Watson.
Harper.	Willacy.
Holsey.	

Absent.

Barrett.	Skinner.
Masterson.	Stone.
Senter.	Terrell.

The bill was read third time, and passed.

Senator Kellie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 683.

On motion of Senator Paulus, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 683.

The Chair laid before the Senate, on third reading,

House bill No. 683, A bill to be entitled "An Act to amend Section 10 and Section 30 of Chapter 49 of the Acts of the Twenty-seventh Legislature as amended by the Twenty-eighth Legislature, Chapter 11, so as to provide for the increase of the payment of the road commissioners in the counties of Fayette, Uvalde and Frio to the maximum sum of \$360, instead of \$300 per year, and to provide for the increase of the amounts of contracts, material and labor for the construction of any bridge that must be advertised."

The bill was read third time, and passed.

Senator Paulus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 239.

On motion of Senator Looney, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 239.

The Chair laid before the Senate, on second reading,

House bill No. 239, A bill to be entitled "An Act to authorize justices of the peace and constables to charge and collect fees in examining trials in misdemeanor cases, and declaring an emergency."

There being an unfavorable majority committee report and a favorable minority committee report,

On motion of Senator Looney, the minority committee report was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Looney, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Holsey.
Barrett.	Looney.
Brachfield.	Mayfield.
Chambers.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Skinner.
Griggs.	Smith.
Grinnan.	Veale.
Harbison.	Willacy.
Harper.	

Absent.

Cunningham.	Senter.
Greer.	Stokes.
Hudspeth.	Stone.
Kellie.	Terrell.
Masterson.	Watson.

The bill was read third time, and passed.

Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 727.

On motion of Senator Harper, the pending order of business (House bill No. 531) was suspended, and the Senate took up, out of its order, House bill No. 727, and moved to reconsider the vote by which this bill passed to a third reading on today.

The motion to reconsider prevailed.

The Chair laid before the Senate, on second reading,

House bill No. 727 (see former proceedings for caption.)

Senator Harper offered the following amendment, which was adopted:

Amend the bill by adding the following:

"Sec. 8. The fact that there exists no adequate law on this subject creates a public necessity and emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the rule is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time and passed to a third reading.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Barrett.
------------	----------

Brachfield.	Holsey.
Chambers.	Hudspeth.
Cunningham.	Looney.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Smith.
Harbison.	Terrell.
Harper.	Veale.

Nays—2.

Murray.	Stone.
---------	--------

Absent.

Kellie.	Watson.
Masterson.	Willacy.
Stokes.	

The bill was read third time, and passed.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 531.

Senator Holsey called for, and the Chair laid before the Senate, on third reading as pending business.

House bill No. 531, A bill to be entitled "An Act defining the duties of the Attorney General with reference to the examination and approval of articles of incorporation of proposed corporations, and amendments of articles of incorporation, and of applications of foreign corporations for a permit to do business within this State, and providing for a certificate of such examination and approval, and prohibiting the filing of such articles of incorporation of such permit in the absence of such certificates, and requiring the payment of certain fees for such examination, and prescribing the manner of payment of all such fees, repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

The bill was read third time, and lost by the following vote:

Yeas—10.

Alexander.	Holsey.
Barrett.	Hudspeth.
Green.	Looney.
Griggs.	Meachum.
Harper.	Paulus.

Nays—16.

Brachfield.	Faust.
Chambers.	Glasscock.

Greer.	Skinner.
Grinnan.	Smith.
Harbison.	Stokes.
Mayfield.	Stone.
Murray.	Terrell.
Senter.	Veale.

Absent.

Cunningham.	Watson.
Kellie.	Willacy.
Masterson.	

Senator Stone moved to reconsider the vote by which the bill was lost, and lay that motion on the table.

The motion to table prevailed.

MESSAGE FROM THE GOVERNOR.

Executive Office,
Austin, Texas, April 11, 1907.

To the Senate:

The advice and consent of the Senate is asked to the appointment as notaries public of the persons whose names appear in the list herewith transmitted.

T. M. CAMPBELL,
Governor.

(The list of names accompanying above message is in condensed list under date of April 9th, permanent Journal.)

EXECUTIVE SESSION—TIME SET FOR.

Senator Looney moved that today at 2 o'clock be the time set for the Senate to hold executive session to consider the above additional list of notaries public sent to the Senate today by the Governor.

The motion was unanimously adopted.

HOUSE BILL NO. 313.

On motion of Senator Glasscock, the pending order of business (House bill No. 332) was suspended, and the Senate took up, out of its order, House bill No. 313.

The Chair laid before the Senate, on second reading,

House bill No. 313, A bill to be entitled "An Act to amend Section 31 of an act passed by the Twenty-ninth Legislature, being Chapter 104, Acts Twenty-ninth Legislature, entitled 'An Act to define and provide for organizing and disciplining the militia; to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof; to define military offenses; to provide for the trial and punishment thereof; to provide for the pay, trans-

portation and subsistence of the militia when called into active service, and to repeal all laws in conflict therewith, and declaring an emergency."

Senator Glasscock moved that the committee report, which provided that the bill be not printed, be adopted.

The motion was lost by the following vote:

Yeas—8.

Alexander.	Hudspeth.
Glasscock.	Murray.
Griggs.	Smith.
Holsey.	Veale.

Nays—19.

Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Paulus.
Faust.	Senter.
Green.	Skinner.
Greer.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Watson.
Looney.	

Absent.

Cunningham.	Masterson.
Kellie.	Willacy.

HOUSE BILL NO. 483.

On motion of Senator Green, the pending order of business (House bill No. 332) was suspended, and the Senate took up, out of its order, House bill No. 483.

The Chair laid before the Senate, on second reading,

House bill No. 483, A bill to be entitled "An Act to amend Chapter 125 of the Acts of the Twenty-eighth Legislature, being entitled 'An Act for the creation and maintenance of a Pasteur hospital for the treatment of hydrophobia,' so as to provide for the disposition of fees paid by non-indigent patients, and declaring an emergency."

On motion of Senator Green, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Green, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Chambers.
Barrett.	Faust.
Brachfield.	Glasscock.

Green.	Meachum.
Greer.	Murray.
Griggs.	Paulus.
Grinnan.	Senter.
Harbison.	Skinner.
Harper.	Smith.
Holsey.	Stokes.
Hudspeth.	Stone.
Looney.	Veale.
Mayfield.	Watson.

Absent.

Cunningham.	Terrell.
Kellie.	Willacy.
Masterson.	

The bill was read third time, and passed.

Senator Green moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 138.

On motion of Senator Smith, the pending order of business (House bill No. 332) was suspended and the Senate took up, out of its order, House bill No. 138.

The Chair laid before the Senate, on second reading,

House bill No. 138, A bill to be entitled "An Act prohibiting betting or gambling on all manner of ball games, and providing penalties for violations."

Senator Smith offered the following amendment, which was adopted:

Amend the bill by adding Section 2 as follows:

"The fact that there exists no adequate law on this subject, creates a public necessity and emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the rule is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Greer.
Barrett.	Griggs.
Brachfield.	Grinnan.
Chambers.	Harbison.
Cunningham.	Harper.
Green.	Holsey.

Kellie.	Senter.
Looney.	Skinner.
Mayfield.	Smith.
Meachum.	Stokes.
Paulus.	Veale.

Nays—5.

Faust.	Stone.
Hudspeth.	Watson.
Murray.	

Absent.

Glasscock.	Terrell.
Masterson.	Willacy.

The bill was read third time, and passed.

Senator Smith moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REASONS FOR VOTING.

Upon the engrossment of House bill No. 138, I voted "no" under a misapprehension. I was engaged in a conversation at the time the vote was being taken and a Senator came to me and stated that it was a bill to prohibit baseball on Sunday. I voted "no" under this statement. When I found it was a bill to prohibit betting on baseball, I endeavored to change my vote to "aye," but the vote had been announced and I could not do so.

HUDSPETH.

HOUSE BILL NO. 627.

On motion of Senator Mayfield, the pending order of business (House bill No. 332) was suspended, and the Senate took up, out of its order, House bill No. 627.

The Chair laid before the Senate, on second reading,

House bill No. 627, A bill to be entitled "An Act to amend Article 2439a, Chapter 41, Title XLV, of the Revised Civil Statutes of Texas, relating to fees of office charged and collected by certain State officers as amended by Chapter 91, and adding thereto Article 2439a, prohibiting the approval or payment of any account or claim to any official who refuses or fails to take out his commission, and declaring an emergency."

On motion of Senator Mayfield, the committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—15.

Alexander.	Holsey.
Barrett.	Hudspeth.
Brachfield.	Looney.
Chambers.	Meachum.
Cunningham.	Paulus.
Glasscock.	Skinner.
Green.	Smith.
Griggs.	

Nays—13.

Faust.	Murray.
Greer.	Senter.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Veale.
Masterson.	Watson.
Mayfield.	

Absent.

Kellie.	Willacy.
Terrell.	

Senator Chambers moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading and final passage.

The motion was lost by the following vote, a four-fifths vote being necessary:

Yeas—17.

Alexander.	Holsey.
Barrett.	Hudspeth.
Brachfield.	Kellie.
Chambers.	Looney.
Cunningham.	Meachum.
Glasscock.	Paulus.
Green.	Skinner.
Griggs.	Smith.
Harbison.	

Nays—12.

Faust.	Murray.
Greer.	Senter.
Grinnan.	Stokes.
Harper.	Stone.
Masterson.	Veale.
Mayfield.	Watson.

Absent.

Terrell.	Willacy.
----------	----------

HOUSE BILL NO. 93.

On motion of Senator Alexander, the pending order of business (House bill No. 332) was suspended, and the Senate took up, out of its order, House bill No. 93.

The Chair laid before the Senate, on second reading,

House bill No. 93, A bill to be entitled "An Act to regulate the running of automobiles and motor vehicles, and

the requiring of the owner of such machine to register his name and the number of his machine with the county clerk of the county in which he resides, for the violation of which a penalty is provided."

On motion of Senator Alexander, the committee report, which provided that the bill be not printed, was adopted.

Senator Alexander offered the following amendment, which was adopted:

Amend House bill No. 93, as follows: "Section 2. The near approach of the end of the session and the demand for immediate legislation on this subject constitutes an imperative public necessity that the constitutional rule requiring bills to be read in each house on three several days be suspended, and that this act take effect from and after its passage and it is so enacted."

Senator Griggs offered the following amendment:

Amend the bill by striking out the word "eighteen," line 26, page 1, and insert in lieu thereof the word "thirty."

On motion of Senator Alexander, the amendment was tabled.

Bill read second time, and passed to a third reading.

On motion of Senator Alexander, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Mayfield.
Faust.	Meachum.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Smith.
Harbison.	Stokes.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.

Nays—4.

Griggs.	Murray.
Masterson.	Watson.

Absent.

Chambers.	Willacy.
Cunningham.	

The bill was read third time, and passed.

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 332.

The Chair laid before the Senate, on third reading and on motion of Senator Skinner,

House bill No. 332, A bill to be entitled "An Act authorizing trustees of public schools to employ kindergarten teachers, and authorizing the issuance of certificates."

The bill was read third time, and passed by the following vote:

Yeas—19.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Cunningham.	Meachum.
Faust.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Harbison.	Veale.
Hudspeth.	

Nays—10.

Chambers.	Murray.
Glasscock.	Smith.
Greer.	Stone.
Holsey.	Terrell.
Mayfield.	Watson.

Absent.

Harper.	Willacy.
---------	----------

Senator Alexander moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 738.

On motion of Senator Senter, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 738.

The Chair laid before the Senate, on second reading,

House bill No. 738. A bill to be entitled "An Act to incorporate the Rock-wall Independent School District for free school purposes only, and declaring an emergency."

On motion of Senator Senter, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Senter, the constitutional rule requiring bills to be read on three several days was suspended,

and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Smith.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.

Absent.

Glasscock.	Willacy.
Skinner.	

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Smith.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.

Absent.

Cunningham.	Willacy.
Skinner.	

Senator Senter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 409.

On motion of Senator Hudspeth, the pending order of business (House Joint Resolution No. 24) was suspended and the Senate took up, out of its order, House bill No. 409.

The Chair laid before the Senate, on second reading,

House bill No. 409, A bill to be entitled "An Act to provide for the construction of an addition to the General

Land Office building and the equipment of the same, to make an appropriation therefor, and declaring an emergency."

On motion of Senator Hudspeth, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Harbison.	Stone.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	

Nays—2.

Grinnan.	Harper.
----------	---------

Absent.

Alexander.	Watson.
Paulus.	Willacy.

The bill was read third time, and passed by the following vote:

Yeas—26.

Alexander.	Masterson.
Barrett.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Holsey.	Stone.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	Watson.

Nays—4.

Brachfield.	Harbison.
Grinnan.	Harper.

Absent.

Willacy.

Senator Hudspeth moved to reconsider

the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 49.

On motion of Senator Meachum, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 49.

The Chair laid before the Senate, on second reading,

House bill No. 49, A bill to be entitled "An Act to prohibit the selling, giving or delivery of any spirituous, vinous or intoxicating liquors to any person under the age of twenty-one years without the written consent of the parent or guardian of such minor or some one standing in their place or stead, and to prohibit the causing of or being interested in any such sale, gift or delivery, and to prohibit the agents of and express company or common carrier from knowingly making such sale, gift or delivery or causing the same to be done or being interested therein, and providing penalties therefor."

The committee report, with amendments, was adopted, on motion of Senator Meachum.

Senator Meachum offered the following amendment, which was adopted;

Amend the bill by adding at the end of bill the following:

"The crowded condition of the calendar and near approach of end of the session creates an emergency and an imperative public necessity, demanding the suspension of the constitutional rule requiring bills to be read upon three several days, and that this bill take effect and be in effect from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.	Holsey.
Barrett.	Hudspeth.
Brachfield.	Kellie.
Chambers.	Looney.
Faust.	Mayfield.
Green.	Meachum.
Greer.	Murray.
Griggs.	Senter.
Harbison.	Skinner.
Harper.	Stokes.

Stone. Veale.
Terrell. Watson.

Nays—1.

Masterson.

Present—Not Voting.

Smith.

Absent.

Cunningham. Paulus.
Glasscock. Willacy.
Grinnan.

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander. Kellie.
Barrett. Looney.
Brachfield. Mayfield.
Chambers. Meachum.
Cunningham. Murray.
Faust. Senter.
Green. Skinner.
Greer. Stokes.
Griggs. Stone.
Grinnan. Terrell.
Harbison. Veale.
Harper. Watson.
Holsey. Willacy.
Hudspeth.

Nays—1.

Masterson.

Absent.

Glasscock. Smith.
Paulus.

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REASONS FOR VOTING.

I vote "no" on House bill No. 49 simply because it has never been read before the Senate, has never been printed and never explained, hence I have no idea as to what it is.

MASTERTON.

HOUSE BILL NO. 133.

On motion of Senator Willacy, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 133.

The Chair laid before the Senate, on second reading,

House bill No. 133, A bill to be entitled "An Act to allow persons sum-

moned as jurors, who have legal exemptions, to make oath before a notary public and file same with the clerk of the court issuing same."

On motion of Senator Willacy, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

Senator Senter moved to reconsider the vote by which the bill passed to a third reading.

The motion to reconsider prevailed.

Senator Senter offered the following amendment, which was adopted:

Amend by adding at end of bill the following:

"The fact that there are now in the hands of said official reporters a number of said volumes of said reports in manuscript and that there exists no adequate provision of law for the publication of the reports, creates a public necessity and emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the rule is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time, and passed to a third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander. Hudspeth.
Barrett. Kellie.
Brachfield. Looney.
Chambers. Masterson.
Cunningham. Mayfield.
Faust. Meachum.
Glasscock. Senter.
Green. Stokes.
Griggs. Stone.
Grinnan. Terrell.
Harbison. Veale.
Harper. Watson.
Holsey. Willacy.

Nays—1.

Murray.

Absent.

Greer. Skinner.
Paulus. Smith.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander. Barrett.

Brachfield.	Kellie.
Chambers.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Present—Not Voting.

Murray.

Absent.

Paulus.

Smith.

Senator Senter moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FREE CONFERENCE COMMITTEE REPORT ON SENATE SUBSTI- TUTE BILL NO. 39.

By Senator Willacy, as a privileged matter:

Committee Room,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: Your Free Conference Committee, to whom was referred Senate Committee Substitute for Senate bill No. 39 and House amendments thereto, have had the same under consideration at a session of said committee, and beg to report the same back to the Senate and the House with the recommendation that it do not pass, but that the accompanying Free Conference Committee substitute for Senate bill No. 39 do pass in lieu thereof.

WILLACY,
FAUST,
SKINNER,
MEACHUM,
HARPER,

On part of the Senate.

O'NEAL,
CLEMENTS,
CROCKETT,
MEARS,
BRYAN,

On part of the House.

On motion of Senator Willacy, the report was adopted.

Senator Willacy moved to reconsider

the vote by which the report was adopted, and lay that motion on the table.

The motion to table prevailed.

(Note.—The report of the Free Conference Committee is not given here, but will be given in the last day's Journal.)

HOUSE BILL NO. 721.

On motion of Senator Masterson, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 721.

The Chair laid before the Senate, on second reading,

House bill No. 721, A bill to be entitled "An Act to repeal an act known as the Cass County Road Law."

Bill read second time, and passed to a third reading.

On motion of Senator Masterson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Chambers.	Masterson.
Cunningham.	Mayfield.
Faust.	Meachum.
Green.	Murray.
Greer.	Senter.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	Willacy.

Absent.

Glasscock.	Smith.
Paulus.	Stokes.
Skinner.	

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	Willacy.
Hudspeth.	

Absent.

Glasscock. Smith.
Paulus. Stokes.

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 670.

On motion of Senator Terrell, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 670.

The Chair laid before the Senate, on second reading,

House bill No. 670, A bill to be entitled "An Act to regulate and fix the time when life insurance policies shall be non-contestible, and providing that the only defense to said policy shall be as to whether or not the insured is dead."

On motion of Senator Terrell, the committee report, which provided that the bill be not printed, was adopted.

Senator Terrell offered the following amendment, which was adopted:

Amend by adding at end of bill the following:

"Sec. 4. The fact that there exists no adequate law on this subject, creates a public necessity and emergency requiring the suspension of the constitutional rule requiring bills to be read on three several days, and the rule is so suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

The bill was read second time, and passed to a third reading by the following vote:

Yeas—17.

Barrett. Looney.
Brachfield. Mayfield.
Chambers. Meachum.
Cunningham. Smith.
Grinnan. Stokes.
Harper. Terrell.
Holsey. Watson.
Hudspeth. Willacy.
Kellie.

Nays—12.

Alexander. Masterson.
Faust. Murray.
Green. Senter.
Greer. Skinner.
Griggs. Stone.
Harbison. Veale.

Absent.

Glasscock. Paulus.

Senator Terrell moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill be put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—19.

Barrett. Looney.
Brachfield. Mayfield.
Chambers. Meachum.
Cunningham. Murray.
Grinnan. Smith.
Harbison. Terrell.
Harper. Veale.
Holsey. Watson.
Hudspeth. Willacy.
Kellie.

Nays—10.

Alexander. Masterson.
Faust. Senter.
Green. Skinner.
Greer. Stokes.
Griggs. Stone.

Absent.

Glasscock. Paulus.

(Lieutenant Governor Davidson in the chair.)

HOUSE BILL NO. 498.

On motion of Senator Watson, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 498.

The Chair laid before the Senate, on second reading,

House bill No. 498, A bill to be entitled "An Act providing for the organization, conduct and support of Summer Normal Institutes; providing for the selection of faculties therefor, and the prescribing of rules and regulations for their government, and declaring an emergency."

On motion of Senator Watson, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report).

On motion of Senator Watson, the committee report, which provided that the bill be not printed, was adopted.

Senator Murray made a point of order on the bill, that Article 8, Section 6, Constitution, provides:

"No money shall be drawn from the

Treasury but in pursuance of specific appropriations made by law.

"That this bill seeks to appropriate \$2 per capita for every school teacher in the State who attends a summer normal, said sum to be determined by the Superintendent of Education, and to be paid out by him."

The Chair, Lieutenant Governor Davidson, sustained the point of order.

HOUSE BILL NO. 307.

Here Senator Murray moved to reconsider the vote by which House bill No. 307 was passed to a third reading on today.

The motion to reconsider prevailed.

The Chair laid before the Senate, on second reading,

House bill No. 307 (see former proceedings of today for the caption).

Senator Griggs offered the following amendment, which was adopted:

Amend the bill by adding the following section:

"Sec. —. The fact that under the present law county clerks are required to do work unnecessary and that is of no value to any one, and the fact that this session of the Legislature is about to adjourn, creates an emergency requiring the suspension of the rule requiring bills to be read on three several days, and the rule is so suspended, and this bill take effect and be in force from and after its passage, and it is so enacted."

The bill was read second time, and passed to a third reading.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Glasscock.	Paulus.
Harbison.	

The bill was read third time and passed.

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 746.

On motion of Senator Griggs, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 746.

The Chair laid before the Senate, on second reading,

House bill No. 746, A bill to be entitled "An Act appropriating \$15,000, or so much as is necessary, to pay the contingent expenses of the Thirtieth Legislature, and declaring an emergency."

On motion of Senator Griggs, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Griggs, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Cunningham.	Harbison.
Glasscock.	Paulus.

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Grinnan.
Barrett.	Harper.
Brachfield.	Holsey.
Chambers.	Hudspeth.
Faust.	Kellie.
Green.	Looney.
Greer.	Masterson.
Griggs.	Mayfield.

Meachum.	Stone.
Murray.	Terrell.
Senter.	Veale.
Skinner.	Watson.
Smith.	Willacy.
Stokes.	

Absent.

Cunningham.	Harbison.
Glasscock.	Paulus.

Senator Griggs moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 734.

On motion of Senator Terrell, by unanimous consent, the pending order of business (House Joint Resolution No. 24) was suspended, and the Senate took up, out of its order, House bill No. 734.

The Chair laid before the Senate, on second reading,

House bill No. 734, A bill to be entitled "An Act to authorize and permit the territory within the bounds of the town of Maude, in the county of Bowie, and State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as the Maude Independent School District, with powers, rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only, and declaring an emergency."

On motion of Senator Terrell, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Terrell, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Skinner.
Green.	Paulus.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Glasscock.	Senter.
Harbison.	Smith.

The bill was read third time, and passed by the following vote:

Yeas—27.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Senter.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Glasscock.	Paulus.
Harbison.	Smith.

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 710.

On motion of Senator Stone, by unanimous consent, the pending order of business (House Joint Resolution No. 24), was suspended, and the Senate took up, out of its order, House bill No. 710.

The Chair laid before the Senate, on second reading,

House bill No. 710, A bill to be entitled "An Act to create a more efficient road system for Lamar county, Texas."

On motion of Senator Stone, the committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Alexander.	Green.
Barrett.	Greer.
Brachfield.	Griggs.
Chambers.	Grinnan.
Cunningham.	Harper.
Faust.	Holsey.

Hudspeth.	Skinner.
Kellie.	Stokes.
Looney.	Stone.
Masterson.	Terrell.
Mayfield.	Veale.
Meachum.	Watson.
Murray.	Willacy.
Senter.	

Absent.

Glasscock.	Paulus.
Harbison.	Smith.

The bill was read third time, and passed.

Senator Barrett moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

FREE CONFERENCE COMMITTEE ON HOUSE BILL NO. 342.

The Chair here appointed the following Free Conference Committee, on part of the Senate, on House bill No. 342; Senators Chambers, Looney, Green, Watson and Kellie.

RECESS.

On motion of Senator Stone, the Senate recessed until 2 o'clock today, by the following vote:

Yeas—14.

Brachfield.	Kellie.
Chambers.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Griggs.	Murray.
Grinnan.	Stone.
Harper.	Veale.

Nays—13.

Alexander.	Senter.
Barrett.	Skinner.
Green.	Stokes.
Greer.	Terrell.
Holsey.	Watson.
Hudspeth.	Willacy.
Meachum.	

Absent.

Glasscock.	Paulus.
Harbison.	Smith.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

EXECUTIVE SESSION.

The Chair here announced that the hour, 2 o'clock p. m., had arrived, which

time had previously been designated by the Senate to hold executive session for the purpose of considering appointments of notaries public previously sent to the Senate by the Governor.

IN EXECUTIVE SESSION.

In executive session the following notaries public were confirmed:

(See Appendix "A" of Journal for confirmed notaries by counties in alphabetical order.)

IN THE SENATE.

SIMPLE RESOLUTION.

By Senator Murray:

Be it resolved by the Senate, That the Senate of the State of Texas extends to Hon. A. S. Burleson, Member of Congress, General John A. Hulen, former Adjutant General, and Col. E. M. Phelps, Asst. Adjutant General, and the family of Capt. Ferg Kyle, deceased, a vote of thanks for their persevering and untiring effort in securing the refund of \$375,418.94 by the Fifty-ninth Congress of the United States on account of the old claim of the State of Texas of amounts expended for protection of the frontier, and against Mexican marauders, from February 28, 1855, to June 21, 1860. This claim had lain dormant since 1889, was revived, the required data collected, and the refund secured without any expense to the State of Texas.

The resolution was read and unanimously adopted by a rising vote.

SPECIAL COMMITTEE—APPOINTMENT OF.

Senator Griggs here moved that the President of the Senate be authorized to appoint a special committee to arrange for the post-session clerical work.

The motion prevailed.

The Chair immediately appointed the following as the committee: Senators Griggs, Stone, Skinner, Green, Chambers.

SIMPLE RESOLUTIONS.

By Senator Chambers:

Whereas, Hon. John G. Willacy, chairman of the Finance Committee, has devoted much of his time to work thereon, and has saved the people of Texas hundreds of thousands of dollars, by reason of his fitness for the place; therefore be it

Resolved by the Senate of the State of Texas, That we extend to him our

sincere thanks for his able services as chairman of said committee.

Mayfield, Hudspeth, Smith, Harper, Stokes, Cunningham, Veale, Faust, Paulus, Greer, Terrell, Harbison, Grinnan, Chambers, Masterson, Green, Meachum, Holsey, Kellie, Griggs, Watson.

The resolution was read and unanimously adopted.

By Senator Skinner:

Whereas, W. A. Shaw, at the beginning of this session worked forty-four days as an extra employe of this Senate prior to the time he was by contract employed by the Senate; and

Whereas, His services were efficient and needed at the time rendered and in many instances almost indispensable; and

Whereas, Miss Jennie Daugherty also performed eleven days' service for the Senate prior to the time of her employment, which services were efficient and needed; now therefore, be it

Resolved, That W. A. Shaw and Miss Jennie Daugherty be paid out of the contingent fund for said time, the same per diem as thereafter was paid to them under their contract of employment.

Skinner, Meachum, Terrell, Griggs, Masterson, Chambers, Hudspeth, Holsey, Green, Kellie, Cunningham, Faust, Paulus, Murray, Veale, Greer, Watson, Stokes.

Senator Harper called for a division of the question, which was granted, and

Action first recurred on that part of the resolution that referred to Mr. Shaw, which part of the resolution was adopted by the following vote:

Yeas—19.

Alexander.	Masterson.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Green.	Skinner.
Greer.	Stokes.
Griggs.	Terrell.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Nays—10.

Barrett.	Harper.
Brachfield.	Mayfield.
Glasscock.	Smith.
Grinnan.	Stone.
Harbison.	Veale.

Absent.

Looney.	Senter.
---------	---------

That part of the resolution relative to Miss Daugherty was then adopted.

REASONS FOR VOTING.

We vote "nay" on the resolution for the reason that it authorizes the payment of public funds for services rendered, if any, at a time when Mr. Shaw was not an employe of the Senate, and when there were as many, if not more, employes of the Senate upon its pay rolls as needed. And further, that whatever services Mr. Shaw may have rendered was voluntarily rendered and while making an effort to obtain appointment as employe of the Senate.

SMITH,
MAYFIELD,
GRINNAN,
GLASSCOCK.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House Concurs in Senate amendments to House bills Nos. 15, 379 and 727.

That the House has passed:

Senate bill No. 6, A bill to be entitled "An Act to authorize the Gulf, Colorado & Santa Fe Railway Company to purchase the railroads and all other properties of the Texas & Gulf Railway Company, now owned and hereafter acquired, and the railroads and all other properties of the Gulf & Interstate Railway of Texas now owned and hereafter acquired, and to operate the same under the charter of the Gulf, Colorado & Santa Fe Railway Company and as part of its own lines, and to extend the said railroads and to construct branches therefrom, by amendments to its charter under the General Laws of the State of Texas, and to authorize the corporation or corporations, person or persons, now or hereafter owning the said properties to sell the same, or any part thereof, to the Gulf, Colorado & Santa Fe Railway Company, and until such purchases are made to authorize the lease by the Gulf, Colorado & Santa Fe Railway Company of the railroads and other properties of the said other companies, or either of them, and to authorize the Gulf, Colorado & Santa Fe Railway Company, until acquired by it or canceled, as provided herein, or by existing acts, to guarantee the payment of the bonds

heretofore or hereafter issued, and the interest thereon of the Texas & Gulf Railway, the Gulf, Beaumont & Great Northern Railway Company, the Gulf, Beaumont & Kansas City Railway Company and the Gulf & Interstate Railway Company of Texas," over the Governor's veto.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has

Adopted the report of the Free Conference Committee on Committee Substitute Senate bill No. 39, being the Appropriation Bill.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

(Senator Hudspeth in the chair.)

SENATE CONCURRENT RESOLUTION NO. 7.

Senator Skinner here moved to reconsider the vote by which the special committee report on Senate Concurrent Resolution No. 7 was tabled on this morning. (See former proceeding of today.)

The motion to reconsider prevailed.

Senator Green made a point of order on the resolution, but the same was overruled.

Senator Willacy offered the following amendment to the resolution:

Amend by striking out all after the word "sum," in line 18, as printed in the Journal committee report, and insert the following: "Provided, that the Governor of Texas is hereby authorized to purchase said painting at such price as the Governor and the owners may agree upon, not to exceed \$5000."

The amendment was read, and adopted by the following vote:

Yeas—15.

Alexander	Masterson.
Barrett.	Meachum.
Cunningham.	Murray.
Faust.	Stone.
Glasscock.	Veale.
Green.	Watson.
Griggs.	Willacy.
Hudspeth.	

Nays—9.

Chambers.	Looney.
Greer.	Mayfield.
Grinnan.	Smith.
Harper.	Stokes.
Holsey.	

Absent.

Brachfield.	Senter.
Harbison.	Skinner.
Kellie.	Terrell.
Paulus.	

The committee report, as amended, was then adopted by the following vote:

Yeas—14.

Alexander.	Masterson.
Barrett.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Stone.
Griggs.	Watson.
Hudspeth.	Willacy.

Nays—12.

Chambers.	Holsey.
Green.	Looney.
Greer.	Mayfield.
Grinnan.	Smith.
Harbison.	Terrell.
Harper.	Veale.

Absent.

Brachfield.	Skinner.
Kellie.	Stokes.
Senter.	

SIMPLE RESOLUTION.

By Senator Meachum:

Whereas, The Regular Session of the Thirtieth Legislature is drawing to a close, and

Whereas, The Hon. A. B. Davidson, Lieutenant Governor, and the Hon. S. P. Skinner, President Pro Tem. of the Senate, have presided over the deliberations of the Senate with earnest fidelity to duty at all times, and without bias or partiality toward any, but with equal and exact justice to all; and

Whereas, It is appropriate that the Senate express its appreciation therefor; therefore, be it

Resolved, That we hereby express our thanks to said Hons. A. B. Davidson and S. P. Skinner for the faithful and impartial service rendered the Senate and the State of Texas in presiding over the deliberations of this body. Be it further

Resolved, That this resolution be printed in the Journal.

Meachum, Brachfield, Willacy, Glasscock, Green, Hudspeth, Chambers, Masterson, Griggs, Watson, Mayfield, Veale, Terrell, Alexander, Greer, Faust, Kellie, Looney, Stone.

The resolution was read and unanimously adopted.

FREE CONFERENCE COMMITTEE REPORT.

By Senator Looney, as a privileged matter:

Committee Room,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred

House bill No. 142, A bill to be entitled "An Act providing for the destruction of chattel mortgages in certain cases, and to relieve the county vaults of worthless papers, with an emergency clause,"

Have had the same under consideration, and beg leave to recommend the passage of the following bill, which is an adjustment of the differences between the House and the Senate:

H. B. No. 42. By Nelson of Hopkins.

A BILL

To Be Entitled

"An Act providing for the destruction of chattel mortgages in certain cases, and to relieve the county vaults of worthless papers, with an emergency clause."

Be it enacted by the Legislature of the State of Texas:

Section 1. That all chattel mortgages hereafter filed with the county clerks of this State in accordance with law shall be prima facie presumed to have been paid after the expiration of six years from the date of the maturity of the debts such mortgages were intended to secure, unless the owner or holder of such mortgage, his agent or attorney, shall, within three months next before the expiration of said time, file an affidavit in writing with the county clerk stating that such debt has not been paid, and the amount still due thereon. If such affidavit is not filed the clerk shall, at the expiration of said time, make disposition of such mortgage, either by delivering the same to the maker or by burning the same. All chattel mortgages which, at the time of the passage of this act, are on file in the county clerks'

offices, and which have been on file for more than six years since the maturity thereof, shall be delivered to the maker thereof or be by the clerk burned, unless the owner or holder thereof, his agent or attorney, shall, within twelve months after date of the approval of this act, file the affidavit above required.

Sec. 2. The fact that there are now on file in the county clerks' offices in this State hundreds of thousands of these useless liquidated mortgages, and on account of the probability of their continuing to increase in the future, thus filling the vaults of this State with worthless papers, creates an emergency and an imperative public necessity that the constitutional rule requiring a bill to be read on three several days be suspended, and that this bill be put on its third reading and final passage, and that this act take effect and be in force from and after its passage, and it is so enacted.

KELLIE,
WATSON,
CHAMBERS,
GREEN,
LOONEY,

On part of the Senate.

NELSON,
STEPHENSON,
WOLFE,
McGREGOR,
LOVE of Williamson,
On part of the House.

On motion of Senator Looney, the report was read and adopted.

Senator Looney moved to reconsider the vote by which the report was adopted, and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

By Senator Chambers:

Whereas, The representatives of the press have fairly reported the proceedings of this body, and have each conducted themselves in a manly way; therefore be it

Resolved by the Senate of the State of Texas, That we congratulate the press on the reporters selected, and extend to each of them our sincere thanks and appreciation.

CHAMBERS,
MEACHUM,
WILLACY,
GREEN,
TERRELL,
KELLIE,
ALEXANDER,
HOLSEY.

The resolution was read and adopted.

FOURTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the
Senate:

Sir: I am directed by the House to
inform the Senate that the House has
passed the following bill:

Senate bill No. 61, A bill to be entitled
"An Act to amend Sections 93 and 94 of
Chapter 124 of the Acts of the Regular
Session of the Twenty-ninth Legislature,
relating to school trustees and their
duties," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

MOTION TO SUSPEND.

Senator Smith here moved that in case
of a special session of the Legislature
immediately that the President of the
Senate withhold the appointment of the
persons to audit the accounts of the
Sergeant-at-Arms, provided for by a res-
olution on yesterday.

The motion prevailed.

SENATE BILL NO. 61—HOUSE
AMENDMENTS CONCURRED IN.

Senator Meachum called up

Senate bill No. 61, A bill to be en-
titled "An Act to amend Sections 93 and
94 of Chapter 124 of the Acts of the
Regular Session of the Twenty-ninth
Legislature, relating to school trustees
and their duties,"

And moved that the Senate concur in
the following House amendments:

Amend Senate bill No. 61 as follows:

(1.)

Strike out all beginning with the
words "Attorney General," in line 11,
page 2, and down to and including the
words "Attorney General," line 15, page
2, and insert in lieu thereof the words
"county attorney."

(2.)

Strike out the words "in the district
court of Travis county, Texas, or," in
lines 17 and 18, page 2.

(3.)

Strike out the words "at the option of
the Attorney General," in lines 19 and
20, page 2.

(4.)

Strike out all beginning with line 24,
and down to and including the words

"county superintendent," in line 36,
page 2.

(5.)

Strike out the words "Attorney Gen-
eral" wherever they occur on page 3,
and insert in lieu thereof the words
"county attorney or district attorney, in
case there be no county attorney."

The motion to concur prevailed by the
following vote:

Yeas—18.

Alexander.	Meachum.
Green.	Murray.
Greer.	Paulus.
Griggs.	Skinner.
Harbison.	Stokes.
Hudspeth.	Stone.
Kellie.	Terrell.
Looney.	Veale.
Mayfield.	Watson.

Nays—4.

Brachfield.	Holsey.
Grinnan.	Smith.

Absent.

Barrett.	Harper.
Chambers.	Masterson.
Cunningham.	Senter.
Faust.	Willacy.
Glasscock.	

FIFTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the
Senate.

Sir: I am directed by the House to
inform the Senate that the House has
passed the following bill:

Senate bill No. 220, A bill to be en-
titled "An Act to authorize the Com-
missioner of the General Land Office of
Texas to have such surveying done in
the territory between the Pecos river
and the Rio Grande river as may be
necessary to definitely locate the min-
eral-bearing school land surveys, and to
co-operate with the Director of the
United States Geological Survey in mak-
ing a topographical survey and map of
the localities as surveyed, and making
an appropriation therefor, and making
the disturbance of land marks and topo-
graphical marks a misdemeanor, and de-
claring an emergency."

The House has concurred in Senate
amendments to House bill No. 93 and
House bill No. 49.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

POST SESSION CLERICAL WORK.

By Senator Griggs:

Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: We, your committee appointed under a motion to report and recommend such officers and employes as should be retained after adjournment, and to specify their duties, number of days, pay, etc., beg leave to report as follows:

First. We recommend that the Secretary, Clyde D. Smith, and Journal Clerk, R. M. Gilmore, each be retained for seventy-five days after adjournment, and that they be instructed to prepare and deliver to the public printer the Journal of the Senate, together with a complete and comprehensive index to same, and to deliver to the Secretary of State all documents, bills, etc., and Journals by law required to be delivered to him by the Secretary of the Senate. And that the Secretary and Journal Clerk shall perform their duties in conjunction with each other, and the Secretary shall, in addition to his other duties, assist the Journal Clerk.

Second. That W. Z. Hays, the Calendar Clerk, be retained three days after adjournment, and that he be instructed to check up, index and arrange such bills, books, resolutions and other documents as may remain in his possession and deliver the same to the Secretary of the Senate.

Third. We recommend that the Sergeant-at-Arms, C. H. Allen, be instructed to immediately prepare a complete and itemized duplicate inventory of all property of the Senate, including all furniture and property in the Lieutenant Governor's room, with marks of identification entered on the invoice; such inventory to show the condition and probable value of such property, and that each copy of each inventory be approved by the President of the Senate, and be delivered by the Sergeant-at-Arms to the Superintendent of Public Buildings and Grounds, and one copy to the Secretary of State upon adjournment of this Legislature; and that the Sergeant-at-Arms be allowed five days after adjournment to deliver said property to the Superintendent of Public Buildings and Grounds, taking his receipt for same, which shall be delivered to the Secretary of State and filed and kept by him, and said receipt shall be delivered by the Secretary of State to the Sergeant-at-Arms of the Senate at the next special or regular session of the Legislature as soon as said Sergeant-at-Arms has been elected and

qualified; and that the said Sergeant-at-Arms be allowed two porters, Ellis Monroe and Alonzo Harrison, for five days to assist him, porters to be paid \$2 per day, and this to be out of the appropriation of the per diem of members, officers, clerks and employes.

Fourth. That each of the above and hereinafter named officers be paid the sum of \$5 per day for the time retained, and that this be paid out of the per diem appropriation for the Thirtieth Legislature.

Fifth. That the Postmistress, Mrs. Annie Shirley, be requested to make out a list of the Senators and employes of the Senate with their respective post-office addresses and furnish the same to the postmaster at Austin, with the request that he forward their mail to their respective addresses after adjournment, and that she be paid for two days' time at \$5 per day.

Sixth. We recommend that the En-grossing Clerk and Enrolling Clerk each be required to deliver to the Secretary of the Senate all books and documents belonging to the Senate in their possession upon the adjournment of the Legislature; and that,

Seventh. In event of a special session immediately, this shall not apply until the close of the special session.

GRIGGS,
STONE,
SKINNER,
GREEN,
CHAMBERS.

The resolution was read, and adopted.

SENATE BILL NO. 220—HOUSE
AMENDMENTS CONCURRED IN.

Senator Muray called up, as a privileged matter,

Senate bill No. 220, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of Texas to have such surveying done in the territory between the Pecos river and the Rio Grande river as may be necessary to definitely locate the mineral-bearing school land surveys, and to co-operate with the Director of the United States Geological Survey in making a topographical survey and map of the localities as surveyed, and making an appropriation therefor, and making the disturbance of land marks and topographical marks a misdemeanor, and declaring an emergency,"

And moved that the Senate concur in the following House amendments:

(1.)

Amend Section 4 in the first line by inserting the word "foregoing" between the words "the provisions," so as to read "the foregoing provisions."

(2.)

Strike out Section 6 and insert in lieu thereof the following after Section 5:

"Sec. 6. Whenever the Commissioner of the General Land Office shall deem it to the best interests of the State to cause to be made a survey or re-survey of any land or lands which are now or which may be owned or claimed by the State of Texas, or which such Commissioner may deem it expedient to have surveyed, or re-surveyed in order to determine whether such land or lands are owned or should be claimed or sued for by the State of Texas, he may designate and employ one or more competent and experienced surveyors, each to be known as "Special State Surveyor," to do such work, and shall be authorized to allow and pay, as hereinafter provided, reasonable compensation for such services, the amount of such compensation to be determined by such Commissioner, not exceeding in any instance the rate of \$200 per month, and may also incur and pay, as hereinafter provided, any and all reasonable expenses which may be incidentally involved in or connected with the making of any and all such surveys and re-surveys.

"Sec. 7. Any such designation of any and all such surveyors shall be evidenced by a written instrument which shall be signed by the Commissioner of the General Land Office, officially, and attested by his seal of office, and such written instrument shall designate, in at least general terms, the land or lands which such surveyor or surveyors may be so designated and employed to survey or re-survey; and before doing any such work such surveyor or surveyors shall take and subscribe before an officer authorized by law to administer oaths within this State an affidavit to the effect that affiant will faithfully, impartially and to the best of his knowledge and ability, make the survey or re-survey called for in such instrument of designation; and such affidavit shall be endorsed upon or attached to such instrument of designation.

"Such instrument of designation, together with such affidavit or affidavits, shall be filed in the General Land Office before any such work shall be done thereunder.

"Sec. 8. Field notes and a plat of any

and all such surveys and re-surveys, signed by such Special State Surveyor or surveyors, shall be returned to and filed in the General Land Office, and shall thereafter have the same force and effect as if made and returned by a district or county surveyor under existing laws.

"Sec. 9. For the purpose of carrying the provisions of Sections 6, 7 and 8 of this act into effect, there is hereby appropriated out of any money in the State treasury not heretofore appropriated, to be expended within two years, the sum of five thousand dollars (\$5000), or so much thereof as may be necessary, the same to be paid out upon accounts which shall be verified by affidavit and approved by the Commissioner of the General Land Office.

Sec. 10. The provisions of this act are and shall be deemed and held to be cumulative of existing laws.

"Sec. 11. The fact that the land lines and surveys in the mineral-bearing school land territory are in great confusion, uncertain and of doubtful location, and the further fact that the State has no adequate means of knowing upon which tracts of land the effective or commercial value is growing, nor upon which tracts water is located; and the facts that such lands and substances are coming in demand.

"Also for the further fact that there exists no law making adequate provision for the survey or re-survey of lands which are owned or claimed by the State of Texas, and the fact that the title and right of possession of many tracts of land, which probably belong to the State, but which are claimed or held by adverse claimants, can not properly be determined, settled and established until such surveys or re-surveys shall have been made, creates an emergency and demanding the suspension of the constitutional rule requiring bills to be read on three separate days in each house, and that this act be put on its third reading and final passage and take effect from and after its passage, and it is so enacted."

(3.)

Amend the caption by adding after the words in the caption of the bill, "topographical marks a misdemeanor," the following: "And providing for the survey and re-survey of lands owned or claimed by the State of Texas, or which the Commissioner of the Land Office may deem expedient to have surveyed or re-surveyed, to determine the boundary lines of said survey and to ascertain whether the same should be claimed or sued for by the State of Texas, when

deemed necessary by the Commissioner of the General Land Office to have such surveyed or re-surveyed; authorizing the Commissioner to designate and employ such surveyor to be known as special State surveyor to make such survey or re-survey, and providing for their compensation for the payment of incidental expenses connected with such survey or re-survey, and providing for the making and the return of field notes and plat thereof, for the filing of such field notes and plat in the General Land Office; declaring the effect thereof, making an appropriation to carry out the purpose of this act, and declaring an emergency."

The motion to concur prevailed by the following vote:

Yeas—21.

Barrett.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Green.	Paulus.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harper.	Stone.
Hudspeth.	Veale.
Kellie.	Watson.
Looney.	

Nays—1.

Holsey.

Absent.

Alexander.	Masterson.
Brachfield.	Senter.
Faust.	Terrell.
Glasscock.	Willacy.
Harbison.	

Here Senator Holsey moved that the name, address and paper represented of the newspaper representatives reporting the proceedings of the Senate be published in the Journal.

The motion prevailed.

RECESS.

On motion of Senator Smith, the Senate, at 6:15 o'clock, recessed until 8 o'clock tonight.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

SIXTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following bills:

Senate bill No. 70, A bill to be entitled "An Act to amend Article 5065 of Title CIV, Chapter 2, of the Revised Civil Statutes of the State of Texas, as amended by Chapter 127 of the General Laws of the State of Texas, passed by the Twenty-ninth Legislature at its Regular Session in A. D. 1905, so as to define, exempt and regulate the exemption of endowment funds of educational institutions from taxation, and declaring an emergency."

Senate bill No. 314, A bill to be entitled "An Act to amend the charter of the city of Galveston, and to authorize the board of commissioners of the city of Galveston to license, tax, regulate and prescribe the location of all places within the corporate limits of the city of Galveston wherein intoxicating liquors are kept for sale."

Senate bill No. 199, A bill to be entitled "An Act to amend Chapter 10 of the General Laws, passed at the First Called Session of the Twenty-ninth Legislature of Texas, by amending Subdivision 2 of Section 16, of said act, and by repealing Section 21 of said act."

Senate bill No. 239, A bill to be entitled "An Act to authorize unincorporated joint stock companies or associations to sue and be sued in their company or distinguishing name, and to prescribe the mode and effect of service on such unincorporated companies and the legal effect of judgment that shall be rendered in such actions."

Senate bill No. 298, A bill to be entitled "An Act to amend Title XVIII, Chapter 4, of the Revised Civil Statutes of the State of Texas, relative to cities and towns, by adding to said chapter an article to be known and designated as Article 483b, and declaring an emergency."

Senate bill No. 44, A bill to be entitled "An Act amending Article 3106, Title LIX of the Revised Statutes of the State of Texas, 1895, and prescribing the pains and penalties for the collection of usurious interest, and fixing the venue of suits for the recovery of the same."

The House has concurred in Senate amendments to House bill No. 138, House bill No. 133.

The House has adopted the report of the committees of the House and Senate appointed by virtue of Senate Concurrent Resolution No. 7.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

FREE CONFERENCE COMMITTEE
REPORT ON SENATE BILL
NO. 65.

By Senator Harper, as a privileged matter:

Austin, Texas, April 17, 1907.

Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed to adjust the differences existing between the two houses on

Senate bill No. 65, A bill to be entitled "An Act to create a State Text-Book Board, and to procure for use in the public free schools of the State of Texas a series of uniform text-books; defining the duties of certain officers therein named; making an appropriation therefor; defining certain misdemeanors; providing for a bond for the faithful performance of the contract, and to cover liquidated damages for fraud or collusion, and authorizing the Attorney General to bring suit therefor, and providing penalties for violations of the provisions of this act,"

Have had the same under consideration for the purpose of adjusting differences, and beg to report the following bill back to the Senate and House of Representatives, being an adjustment of the differences existing:

S. B. No. 65.

By Mr. Harper.

A BILL

To Be Entitled .

An Act to create a State Text-Book Board and to procure for use in the public free schools of the State of Texas a series of uniform text-books; defining the duties of certain officers therein named; making an appropriation therefor, defining certain misdemeanors; providing for a bond for the faithful performance of the contract, and to cover liquidated damages for fraud or collusion, and authorizing the Attorney General to bring suit therefor, and providing penalties for violations of the provisions of this act.

Be it enacted by the Legislature of the State of Texas:

Section 1. The Superintendent of Public Instruction of this State and the President of the University of Texas, as soon as practicable after this act takes effect, shall, acting jointly on each rec-

ommendation, recommend to the Governor twenty teachers, twelve of whom shall be public free school teachers of the town and rural public free schools of this State, who have actually taught in such schools at least five years and are, at the time nominated, actively engaged in teaching, four county superintendents and four city superintendents who are teachers, and send the names of the twenty teachers so nominated to the Governor of this State. When said twenty teachers have been nominated and their names sent to the Governor, he shall, as soon as practicable, select therefrom five teachers, one of whom shall be a county superintendent and one a city superintendent, and three public free school teachers, and said five teachers so selected, together with the State Superintendent of Public Instruction and the Governor of this State, shall constitute the State Text-Book Board, of which board the Governor shall be chairman, and said board shall, when called together by the Governor for that purpose, select and adopt text-books for use in the public schools in this State. Said board is hereby authorized and required to select and adopt a uniform system of text-books to be used in the public free schools of Texas, and the series so selected shall include and be limited to text-books on the following subjects: Spelling, a graded series of reading books, a course in language lessons, grammar and elementary English composition, geography, arithmetic, mental arithmetic, elements of physiology and hygiene, civil government, elementary algebra, physical geography, history of the United States, in which the construction placed on the Federal Constitution by the Fathers of the Confederacy shall be fairly presented; history of Texas, elementary agriculture, and a graded system of writing books; provided, that none of said text-books shall contain anything of a partisan or sectarian character, and that nothing in this act shall be construed to prevent the teaching of German, Bohemian, Spanish, French, Latin or Greek in any of the public schools as a branch of study, but the teaching of one or more of these languages shall not interfere with the use of the text-books herein prescribed, and the study of a language known as a dead language, such as Latin and Greek, shall never be made compulsory as a requirement for the completion of any regular course of study in use in any public school in this State; and provided further, that nothing herein shall be construed to prevent

the use of supplementary books, but such supplementary books shall not be used to the exclusion of the books prescribed under the provisions of this act. But full use must be made in good faith of the books adopted under this act; provided further, that said board in selecting said books shall give preference to Texas authors, price and merit being equal, to other text-books offered.

Sec. 2. The text-books shall be selected after a careful examination and consideration of all books presented, and the books selected shall be the best text-books in the opinion of the board, taking into consideration subject matter and its arrangement, the price of the book, and the needs of the public schools; provided, also, that no book shall be taken in exchange that was not in use in the public schools during 1907-1908 or which was not purchased by book dealers for the session of 1907 and 1908.

Sec. 3. The Governor shall for thirty days, and in such manner as he may deem best, advertise that, at a time and place fixed in said notice, and not later than April 1, 1908, sealed bids will be received. Each bid shall state specifically at what price each book will be furnished, and shall be accompanied with specimen copies of each and all books offered, and it shall be required that each bidder deposit with the Treasurer of the State of Texas such sum of money as the board may require, not less than \$500 nor more than \$2500, according to the value of the books each bidder may propose to supply. Such deposits shall be forfeited to the State absolutely if such bidder so depositing shall fail to make and execute such contract and bond as are herein required within such time as the board may require, which time shall be specified in the notice advertised; and it shall be further required of all publishers submitting bids to the board for its consideration that they file with the Secretary of State an affidavit that no member of the board is in any manner interested, directly or indirectly, in any firm or corporation submitting books for adoption. If the fact should be disclosed that any member of the board is so interested, it shall work a disqualification of such member of the board, and he shall not be permitted to serve on the board created under the provisions of this act; or if it should further appear or be disclosed that any member of the board is interested in any book or series of books as the author, or associate author, or in any manner, such fact shall likewise work a disqualification of such member, and he

shall not be permitted to serve upon the board. And each member of the board, except the Governor, after a called session of the board, at which any books are adopted, shall make and file with the Secretary of State an affidavit in writing that he is not, and has not been, directly or indirectly, interested in or related to any publishing house, person, firm or corporation submitting any books for adoption, or in any books offered for adoption, nor is he related to any person or agent representing such house, person firm or corporation.

Sec. 4. Any vacancy occurring upon the board from any cause shall be filled by appointment by the Governor. All bids shall be sealed and deposited with the Governor of the State to be by him delivered to the board in session for the purpose of considering the same, provided, that the text-book board shall not consider a bid of any publisher of school books who has on or before June 1, 1907, failed to pay the tax due and payable under Chapter 148, Acts of the Twenty-ninth Legislature. All bids shall be opened in the presence of the board. When any person has been awarded a contract, and he has filed his bond and contract with the board, it shall make an order on the Treasurer of the State, reciting such fact, and thereupon the Treasurer shall return the deposit of such bidder, but if any successful bidder shall fail to make and execute the contract and bond as hereinbefore provided, the Treasurer shall place the deposit of said bidder in the State Treasury to the credit of the available school fund, and the board shall readvertise for other bids to supply such books which the said bidder may have failed to supply. All unsuccessful bidders shall have their deposits returned to them as soon as the board has decided not to accept their bids. All books adopted by the board shall be printed in English. The board shall stipulate in the contract that where a change shall have been made from the books now in use, the contractor or contractors shall take in exchange the respective books at present adopted by the State, or by any city having a population in excess of ten thousand, in part payment for the new books, and all bidders under this act shall state what allowance they will make for the said respective books adopted by the State or by any city having a population in excess of ten thousand now in the hands of the patrons of the public schools, when offered in exchange for the new books adopted under this act; pro-

vided, that said allowance and condition for the exchange of the old books shall be in force during the scholastic year beginning September 1, 1908. The bidder or bidders to whom any contract may have been awarded shall make and execute a good and sufficient bond, payable to the State of Texas, and in the sum of not less than \$10,000, to be approved by the Governor; such bond to be conditioned that the contractor or contractors shall faithfully perform all the conditions of the contract. The contract and bond shall be prepared by the Attorney General, and shall be made to conform with all the requirements of this act, and shall be payable in Travis county, Texas, which shall be deposited in the office of the Secretary of State. The bond shall not be exhausted by a single recovery thereon, but may be sued upon from time to time, until the full amount thereof is recovered, and the board may at any time after twenty days' notice require a new bond to be given, and in the event the contractor or contractors shall fail to furnish such new bond the contract of such contractor or contractors may at the option of the board be forfeited.

Sec. 5. It shall be the duty of the board to meet at the time and place mentioned in the notice and advertisement, and shall adopt such rules and regulations as may be necessary to the transaction of its business, not contrary to the provisions of this act, and shall then and there open and examine the sealed proposals received, and it shall be the duty of the board to make a full and complete investigation of all books and bids accompanying the same. The literary merits of the books shall be the main point to be considered in their adoption. The board shall proceed without delay to adopt for use in the public schools in this State, text-books on the branches hereinbefore mentioned, and shall notify the publishers to whom contracts are awarded. Each contract shall be duly signed by the publishing house or its authorized officers and agents, and if it is found to be in accordance with the award and all the provisions of this act, and if the bond herein required is presented and duly approved, the board shall approve said contract and order it to be signed on behalf of the State by the Governor in his capacity as chairman. All contracts shall be made in duplicate. One copy to remain in the custody of the Secretary of State, and to be copied in full in the minutes of the meeting of the board in a well-bound

book, and the other copy to be delivered to the company or its agent. The contract prices of each book shall be plainly printed on the back of each book, together with the following notice: "The prices marked hereon are fixed by the State, and any deviation therefrom should be reported to the State Superintendent at Austin, Texas." The board shall not in any case contract with any publisher for any book or books to be used in the public schools of this State at a price in excess of the lowest price at which the said publisher or publishers furnish and distribute the same book or books under contract with any other State, county or school district in the United States; provided, that no book or books shall be purchased from any person, firm or corporation who is a member of or connected with any trust, if such books of equal merit and adaptability can be purchased from any other source at the same price.

Sec. 6. It shall be part of the terms and conditions of every contract made in pursuance of this act that the State of Texas shall not be liable to any contractor thereunder for any sum whatever, but all such contracts shall receive compensation solely and exclusively from the proceeds of the sale of books as provided in this act; and it is hereby provided that the State shall have the right to terminate said contract whenever the law is repealed or amended, altered or qualified, as to make necessary or expedient that such contract should be revoked, and all contracts shall contain a stipulation to that effect. The State may, at its election, cancel any contract entered into by virtue of the provisions of this act for fraud or collusion upon the part of either party to the contract, or any member of the board, or any person, firm or corporation or their agents making said bond or contract, and for the cancellation of any such contract the Attorney General is hereby authorized to bring suit in the proper court of Travis county, and in case of the cancellation of any contracts as above provided for, the damages are fixed at not less than the amount of said bond, to be recovered as liquidated damages in the same suit cancelling said contract; and on account of the difficulty of determining the damage that might accrue by reason of such fraud and cancellation of such contract, the full amount of the bond given by any contractor shall be considered as liquidated damages to be recovered out of said bond by

the State at the suit of the Attorney General, and every contract shall contain a clause to this effect.

Sec. 7. As soon as the State shall have entered into the contracts for the furnishing of books for use in the public schools in this State under the provisions of this act it shall be the duty of the Governor to issue his proclamation of such fact to the people of the State, and the State Superintendent of Public Instruction shall carefully label and file away the copies of the books adopted as furnished for examination to the board, and such copies of said books be securely kept and the standard of quality and mechanical excellence to be maintained in said books during the continuance of the contract.

Sec. 8. The party with whom such contract has been made shall establish and maintain in some city in this State a depository where a stock of their goods to supply all immediate demands shall be kept, all contractors not maintaining their own individual or separate State agencies or depositories shall maintain a joint State agency or depository to be located at some convenient and suitable distributing point, both the agent and location to be designated and approved by the State Text-book Board at which general depository each contractor joining in said joint agency shall keep on hand a sufficient stock of books to supply sub-depositories and every contractor shall establish and maintain in every county in the State having an enrollment of five hundred pupils or more in the public schools, as shown in the last preceding report to the county superintendent on file in the office of the State Superintendent of Public Instruction, one or more agencies, one of which shall be at the county seat. At each county seat, as above provided, and in every city in this State, containing 1000 inhabitants or over, there shall be maintained an agency carrying a sufficient stock of all books contracted for to supply all immediate demands. And any person, dealer or school board in any county in the State may order from the central agency and the books so ordered shall be furnished at the same rates of discount as are granted the agents at the county seat; provided, that the price of the books so ordered be paid in advance. Upon failure of any contractor under the provisions of this act to furnish the books as provided in the contract and in this act, the county judge wherein such books have not been so furnished, shall report the fact to the Attorney General, and shall bring suit

on account of such failure in the name of the State of Texas, in the district court of Travis county, and recover on the bond given by such contractor for the full value of the books not furnished as required; and in addition thereto the sum of one hundred dollars (\$100) and the amounts so recovered shall be placed to the credit of the available school fund of the State. Unorganized counties shall be furnished from the same agency as the county to which said unorganized county is attached for judicial purposes in the same manner as such organized county.

Sec. 9. As soon as practicable after the adoption of the textbook provided for in this act the Superintendent of Public Instruction shall address a circular letter to the county superintendents and the presidents of school boards in independent districts, which circular letter shall contain a list of the books adopted, with their respective prices, together with such other information as he may deem advisable.

Sec. 10. The books adopted by the board under the provisions of this act shall be introduced and used as textbooks to the exclusion of all others in the public free schools of this State for a period covering five scholastic years, beginning September 1, 1908; provided, nothing in this act shall be construed to prevent or prohibit the patrons of the public schools throughout the State from procuring books in the usual way in the event that no contracts are made, or in the event that the contractor fails or refuses to furnish the books provided for in this act at the time that said books are required for use in the schools.

Sec. 11. Any school trustee who shall prevent or aid in preventing the use, in any public school in this State, of the books, or any of them, as adopted under the provisions of this act, or any teacher in the State who shall willfully fail or refuse to use the books adopted under the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than five dollars nor more than fifty dollars for such offense, and each day of such willful failure or refusal by said teacher or willful prevention of the use of the books by said school trustee shall constitute a separate offense.

Sec. 12. The sum of one thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the general revenue of this State not otherwise appropriated for the purpose of paying the cost and expense of putting into effect the provisions of this act;

provided, that the teachers selected under the provisions of this act shall receive as compensation for their services the sum of five dollars per day while on duty and actual traveling expenses in going to and returning from the place of meeting, to be paid upon warrants drawn by the Comptroller under the direction and approval of the Governor.

Sec. 13. Any person, firm or corporation with whom a contract has been entered into under the provisions of this act shall designate the Secretary of State of Texas as its or their agent, upon whom citation and all other writs and process may be served in the event any suit shall be brought against such person, firm or corporation.

Sec. 14. The fact that there is no law in this State to authorize the selection of text-books for the public schools in this State, and the present contract for text-books will shortly expire, creates an emergency and an imperative public necessity requiring the constitutional rule for bills to be read on three several days be suspended, and it is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

SKINNER,
HARPER,
BARRETT,
HUDSPETH,
SENER,

On part of the Senate.

ALDERDICE,
GAFFORD,
BELL of Freestone,
DAVIS of Brazos,
BALLENLEE,

On part of the House.

On motion of Senator Harper, the report was adopted.

Senator Harper moved to reconsider the vote by which the report was adopted, and lay that motion on the table.

The motion to table prevailed.

SEVENTH HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 200, A bill to be entitled "An Act to amend Section 15 of Chapter 94, Acts of the Twenty-eighth Legislature of Texas, entitled 'An Act to define, prohibit and declare illegal

trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies and to provide for the suppression of same, and to promote free competition in the State of Texas, and to repeal all laws in conflict therewith, and declaring an emergency."

Senate bill No. 111, A bill to be entitled "An Act to amend Article 256, Chapter 6, of the Penal Code, relating to extortion, and to add Article 256a, making it a misdemeanor punishable with a fine of not less than twenty-five dollars nor more than two hundred and fifty dollars for any officer or other person authorized by law to demand or receive fees of office to wilfully make out his account for fees in excess of those allowed by law; to present or file such account with the proper officer with whom the law requires the same to be presented or filed."

House concurs in Senate amendments to House bill 332.

The House has also adopted the report of the Free Conference Committee on Senate bill No. 65.

Respectfully,

BOB BARKER,
Chief Clerk, House of Representatives.

HOUSE JOINT RESOLUTION NO. 24.

Senator Meachum, by unanimous consent, called up House Joint Resolution No. 24.

The Chair laid before the Senate, on second reading,

House Joint Resolution No. 24, Authorizing the submission to a vote of the people of the State of Texas of a proposed amendment to Section 21, Article 16, of the Constitution of the State of Texas, relating to printing, publishing, stationery, paper and fuel, and making an appropriation therefor.

On motion of Senator Meachum, the committee report, which provided that the bill be not printed, was adopted.

The resolution was read second time, and passed to a third reading by the following vote:

Yeas—15.

Barrett.	Kellie.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Paulus.
Greer.	Terrell.
Harbison.	Veale.
Holsey.	Willacy.
Hudspeth.	

Nays—6.

Chambers.	Smith.
Harper.	Stone.
Murray.	Watson.

Present—Not Voting.

Cunningham.	Skinner.
-------------	----------

Absent.

Alexander.	Looney.
Brachfield.	Masterson.
Griggs.	Senter.
Grinnan.	Stokes.

FREE CONFERENCE COMMITTEE
REPORT.

By Senator Skinner, as privileged matter:

Committee Room,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate, and Hon. Thos. B. Love, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, heretofore appointed, and to whom was referred

House bill No. 296, A bill to be entitled "An Act to provide for a board to calculate the ad valorem rate of taxes for State purposes each year, and to prescribe the duties of such board, and certain duties of the tax assessors of the various counties of the State,"

Have had the same under consideration for the purpose of adjusting the differences between the Senate and House of Representatives, and beg to report that we have adjusted said differences and we report the following, which embodies our agreement and adjustment of differences:

F. C. C. S. H. B. No. 296. By Kennedy
and Neblett.

A BILL

To Be Entitled

An Act to provide for a board to calculate the ad valorem rate of taxes for State purposes each year, and to prescribe the duties of such board, and certain duties of the tax assessors of the various counties in this State.

Be it enacted by the Legislature of the State of Texas.

Section 1. That the Governor, Comptroller of Public Accounts and Treasurer of this State be and the same are hereby constituted a board to calculate

the ad valorem taxes to be levied and collected each year for State purposes.

Sec. 2. It shall be the duty of the tax assessor of each county in this State to make to the Comptroller of Public Accounts a certified statement showing the total amount of property in such county subject to taxation on or before the 1st day of August of the year 1908 and each year thereafter; provided, that the taxes for State purposes, other than for the public school fund shall not be calculated and carried out upon said rolls.

Sec. 3. Within five days after the Comptroller of Public Accounts has received such tax rolls from every assessor within this State the said board shall meet for the purpose of calculating said ad valorem rate for taxes to be levied and collected for State purposes. In calculating the said rate the said board shall calculate said rate by the following rules and in no other manner: They shall find, by adding together all the property subject to taxation in all the counties, as shown by the tax rolls returned by the assessors the total valuation of all property within this State subject to ad valorem taxes. They shall find, by adding together the sums appropriated by the Legislature, which will, or which may become due by the State during the following fiscal year, the total sum which will, or which may, become due by the State during said following fiscal year. They shall find, by adding all sums paid into the State Treasury as taxes for State purposes from all sources other than as ad valorem taxes, and except those going into the available school fund, during the first half of the current calendar year, the total sum paid into the said Treasury from said sources during the said time. They shall find by subtracting from the total sum which will, or which may, become due by the State during the next succeeding fiscal year, the total sum which was paid into the State Treasury as taxes for State purposes during the first half of the current calendar year and the latter half of the last preceding calendar year, the total sum for State purposes, which must be collected by ad valorem taxes. They shall add to such remainder twenty per cent of said remainder. They shall divide the total sum for State purposes which must be collected by ad valorem taxes added to twenty per cent of such total sum by the quotient of the total valuation of all property within this State divided by one hundred. The quotient shall be

the number of cents on the one hundred dollars valuation to be levied and collected for the current year for State purposes; provided, that said quotient shall not be run to more than three decimals. Provided, the rate, exclusive of the tax necessary to pay the public debt and of the taxes provided for the benefit of the public free schools, shall never exceed the rate fixed by law on the one hundred dollars valuation of property. And there shall be levied and collected for the year 1908 and annually thereafter, and there hereby is levied and ordered assessed and collected for the year 1908 and annually thereafter an ad valorem tax on all real property situated in and all property owned in the State on the first day of January in each and every year, and on all property sent out of the State prior to the first day of January for the purpose of evading the payment of taxes thereon and afterwards returned to the State, except so much thereof as may be exempted by the Constitution and laws of this State or the United States, a tax of, and at the rate of the number of cents and fractional part of a cent, to be ascertained each year by the calculation hereinbefore prescribed, on the one hundred dollars cash value thereof, estimated in lawful currency of the United States, which cash value shall be estimated in the manner prescribed by law.

Sec. 4. It shall be the duty of the Comptroller of Public Accounts to certify to the assessor of taxes of each county in this State, through registered letter, the rate of taxes for State purposes for the current year, and shall also publish immediately such rate for thirty days in some newspaper published in the State and having a general circulation therein, and as soon as such tax assessor has received notice of such rate he shall calculate the taxes due the State for State purposes other than for the public school fund on all taxable property within his county, as set out in Section 3 above, and carry same out upon the copies of the tax rolls of the county, to be delivered to the tax collector and to the clerk of the county court, and to be returned to the Comptroller of Public Accounts, as provided in Articles 5127 and 5128, Revised Civil Statutes of Texas, 1895. After he has so completed the said copies of the tax rolls, he shall return to the Comptroller of Public Accounts the copy of the tax rolls which were originally in his hands.

Sec. 5. The near approach of the end

of the session and the crowded condition of the calendar, and the immediate necessity of the passage of a law providing an adequate tax rate for State purposes to pay existing deficiency and to provide sufficient funds for the proper maintenance of the State government, creates an imperative public necessity that the constitutional rule be suspended which requires bills to be read on three several days, and that this act take effect from and after its passage, and it is so enacted.

SKINNER,
CHAMBERS,
STONE,
MASTERSON,
SENER,

On the part of the Senate.

KENNEDY,
CABLE,
NEBLETT,
TERRELL of McLennan.
ORGAIN,

On the part of the House.

On motion of Senator Skinner, the report was adopted by the following vote:

Yeas—20.

Alexander.	Mayfield.
Barrett.	Meachum.
Chambers.	Paulus.
Cunningham.	Sener.
Faust.	Skinner.
Glasscock.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Kellie.	Willacy.

Nays—5.

Green.	Murray.
Greer.	Smith.
Hudspeth.	

Absent.

Brachfield.	Looney.
Griggs.	Masterson.
Grinnan.	Stokes.

HOUSE JOINT RESOLUTION NO. 24.

Action recurred on House Joint Resolution No. 24, and

Senator Meachum moved to suspend Senate Rule 37, requiring resolutions to be read on three several days, and this resolution be put on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—20.

Alexander.	Barrett.
------------	----------

Chambers.	Mayfield.
Faust.	Meachum.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Harbison.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—4.

Harper.	Smith.
Murray.	Stone.

Absent.

Brachfield.	Looney.
Cunningham.	Masterson.
Griggs.	Stokes.
Grinnan.	

The resolution was read third time, and lost, by the following vote:

Yeas—17.

Alexander.	Kellie.
Barrett.	Mayfield.
Brachfield.	Meachum.
Cunningham.	Paulus.
Faust.	Senter.
Glasscock.	Terrell.
Green.	Veale.
Greer.	Willacy.
Hudspeth.	

Nays—6.

Chambers.	Smith.
Harper.	Stone.
Murray.	Watson.

Absent.

Griggs.	Looney.
Grinnan.	Masterson.
Harbison.	Skinner.
Holsey.	Stokes.

(Senator Faust in the chair.)

EIGHTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 177, A bill to be entitled "An Act to amend Chapter 94, page 119 of the Acts of the Twenty-eighth Legislature, entitled 'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for

forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict herewith,' by adding to said law Section 18, concerning punishment for violation thereof; Section 19, with reference to venue; Section 20, with reference to the duties of district and county attorneys and the Attorney General, and Section 21, concerning fees," with amendments.

Senate bill No. 152, A bill to be entitled "An Act defining 'burglary with explosives,' prescribing penalty for the commission thereof, and declaring an emergency," with amendments.

Senate bill No. 15, A bill to be entitled "An Act on the subject of private corporations, prescribing the terms and conditions on which they may be chartered, and providing the amount of capital stock to be paid in and when the remainder shall be paid," with amendments.

Senate bill No. 153, A bill to be entitled "An Act to repeal Chapter 19 of the Acts of the Twenty-ninth Legislature, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 177 — HOUSE AMENDMENTS CONCURRED IN.

Senator Terrell called up, as a privileged matter,

Senate bill No. 177, A bill to be entitled "An Act to amend Chapter 94, page 119, of the Acts of the Twenty-eighth Legislature, entitled 'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict herewith,' by adding to said law Section 18, concerning punishment for violation thereof; Section 19, with reference to venue; Section 20, with reference to the duties of district and county attorneys and the Attorney General, and Section 21, concerning fees."

Senator Terrell moved that the Senate concur in the following House amendments:

(1.)

Amend lines 4, 18 and 38, page 2; also line 12, page 3, by striking out the word "one" and inserting the word "two."

(2.)

Amend Section 18, page 2, by inserting after the word "Act," in line 7, the following "Or shall, with the intent or purpose of driving out competition, or for the purpose of financially injuring competitors, sell within this State at less than cost of manufacture or production, or sell in such a way, or give away within this State, products for the purpose of driving out competition or financially injuring competitors engaged in a similar business, or give secret rebates on such purchase for the purposes aforesaid."

The motion to concur prevailed.

SENATE BILL NO. 152 — HOUSE AMENDMENTS CONCURRED IN.

Senator Mayfield called up, as a privileged matter,

Senate bill No. 152, A bill to be entitled "An Act defining burglary with explosives," prescribing penalty for the commission thereof, and declaring an emergency."

And moved that the Senate concur in the following House amendments:

Amend by striking out Section 1 and inserting in lieu thereof the following: "Any person who shall commit burglary as defined by the Penal Code of this State, and in the commission of said offense uses nitro-glycerine, dynamite, gunpowder or other high explosives, shall be deemed guilty of burglary with explosives."

The motion to concur prevailed.

SENATE BILL NO. 15 — HOUSE AMENDMENTS CONCURRED IN.

Senator Looney called up, as a privileged matter,

Senate bill No. 15, A bill to be entitled "An Act on the subject of private corporations, prescribing the terms and conditions on which they may be chartered, and providing the amount of capital stock to be paid in and when the remainder shall be paid."

Senator Looney moved to concur in the following House amendments:

(1.)

Amend the amendment by inserting after the word "gins" the following, "waterworks, ice plants and electric light plants and cotton warehouses in cities of less than 10,000 inhabitants."

(2.)

Amend the bill, page 2, line 13, Section 1, by striking out all after the word "section" and insert in lieu thereof

the following: "And provided further, that the provisions of this act shall not apply to corporations formed for the construction, purchase and maintenance of mills and gins having a capital stock of not exceeding \$15,000, nor to mutual building and loan associations."

(3.)

Also amend the rider to said bill in the following particulars: Strike out in Section 3 of said rider the following words: "Its capital stock to any amount not exceeding at any one time double the amount of." Further amend by striking out of Section 4 of said rider and in lieu thereof insert the following: "(6) Whenever a corporation, upon proper judicial ascertainment, is found to be insolvent."

The motion to concur in the House amendments prevailed.

Senator Looney moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

NINTH HOUSE MESSAGE

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 311, A bill to be entitled "An Act to authorize, enable and permit the territory situated in Gonzales county, and bounded as hereinafter described, to incorporate as an independent school district, for free school purposes only, to be known as the Nixon Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages, for free school purposes only, and declaring an emergency," with amendments.

Senate bill No. 317, A bill to be entitled "An Act to authorize, enable and permit the territory situated within the bounds of the city of Dalhart, in the county of Dallam and State of Texas, and other land and territory adjacent thereto to incorporate as an independent school district, for free school purposes only, to be known as the Dalhart Independent School District, with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages, for free school purposes only, and declaring an emergency."

Concurs in Senate amendments to House bill No. 307.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 311—HOUSE AMENDMENTS CONCURRED IN.

Senator Murray called up, as a privileged matter,

Senate bill No. 311, A bill to be entitled "An Act to authorize, enable and permit the territory situated in Gonzales county, and bounded as hereinafter described, to incorporate as an independent school district, for free school purposes only, to be known as the Nixon Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages, for free school purposes only, and declaring an emergency,"

And moved that the Senate concur in the following House amendments:

Amend Section 2 of said bill by striking out of said section all after the word "follows," in line 2 of said section, and by inserting the following:

"Beginning on the center of the G. H. & S. A. R. R. track, where the county line between Gonzales and Wilson counties cross said railroad track on the Jose Tejada league; thence north 41 degrees west along said county line 3800 varas to a stake on said county line, the western corner of this survey; thence north 49 degrees east 9504 varas to a stake, the north corner of this survey; thence south 41 degrees east 5704 varas to a stake, the east corner of this survey; thence south 10 degrees and 15 minutes west 12168 varas to a stake on said county line, the south corner of this survey; thence north 41 degrees west along said county line 9504 varas to the place of beginning, containing 25 square miles."

The motion to concur prevailed.

Senator Murray moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

TENTH HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, April 11, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Substitute Senate bill No. 10, A bill

to be entitled "An Act on the subject of private corporations, defining and prohibiting insolvent corporations, domestic and foreign, from doing business in this State; providing for quo warranto or other appropriate judicial proceedings to have the charter or permit of such insolvent corporation forfeited or canceled, as the case may be, and also providing for the cancellation of all stocks and bonds issued by any corporation for purposes other than for money paid to, labor done for or property received by said corporation," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Senator Griggs here moved that when the Senate do adjourn tonight it be until tomorrow morning at 9 o'clock. The motion prevailed.

(Lieutenant Governor Davidson in the chair.)

SENATE BILL NO. 10.

Senator Grinnan called up, as a privileged matter,

Senate bill No. 10, A bill to be entitled "An Act on the subject of private corporations, defining and prohibiting insolvent corporations, domestic and foreign from doing business in this State; providing for quo warranto or other appropriate proceedings to have the charter or permit of such insolvent corporations forfeited or canceled, as the case may be, and also providing for the cancellation of all stocks and bonds issued by any corporation for purposes other than for moneys paid to, labor done for or property received by said corporation,"

And moved that the Senate do not concur in the following House amendments:

Amend the bill by striking out Sections 6, 7 and 8, and reforming the numbers of Sections 9 and 10 to correspond.

Also amend caption by striking out all beginning with the word "and," in line 26, to and including the word "corporation," in line 28.

Senator Looney moved, as a substitute, that the Senate do concur in the House amendments.

Senator Grinnan moved to table the substitute motion, and the yeas and nays were called for, and which developed no quorum voting, the following Senators answering to their names:

Yeas—7.

Glasscock.

Green.

Grinnan. Paulus.
Holsey. Stokes.
Kellie.

Nays—8.

Alexander. Faust.
Barrett. Looney.
Brachfield. Stone.
Chambers. Terrell.

Absent.

Cunningham. Meachum.
Greer. Murray.
Griggs. Senter.
Harbison. Skinner.
Harper. Smith.
Hudspeth. Veale.
Masterson. Watson.
Mayfield. Willacy.

Senator Terrell moved a call of the Senate for the purpose of securing a quorum. The call was seconded.

BILLS SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing and did sign, after their captions had been read, the following bills:

House bill No. 631, "An Act creating the Cold Springs Independent School District in San Jacinto county, Texas."

House bill No. 688, "An Act to amend Sections 2, 4, 6, 7, 9, 12 and 14 of the Special Laws of Texas, approved April 15, 1905, being House bill No. 542, and entitled 'An Act to create a more efficient road system for Coleman county, Texas, and making the county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners; and providing for the appointment of road overseers, and defining their duties; and for the working of the county convicts upon the roads of said county; and providing for officers' fees, and rewards for escaped convicts, and authorizing the working of county convicts partly upon the county convict farm as well as upon the public roads, and partly upon both, in the discretion of the commissioners court; and making provisions applicable, as far as practicable, to convicts when worked on county farms; and to provide for the summoning of teams for road work and for allowance of time for road service for same; and fixing a penalty for a violation of this act; and to repeal all laws in conflict with this act as to Coleman county; providing for the condemnation of land needed for widening,

straightening, changing or draining roads; providing for the taking of timber, gravel, earth, stone or other necessary material for the improvement of roads, and giving persons summoned to work upon the roads the right to be relieved from the discharge of such duty on the payment of specific sums of money herein stipulated; providing for the collection of such sums of money by road overseers; and prescribing penalties for failure to comply with the provisions of this act.'

House bill No. 687, "An Act fixing the compensation of county attorneys who, in cities of over thirty thousand population, represent the State in misdemeanor cases in the corporation courts thereof, and declaring an emergency."

House Concurrent Resolution No. 18, Authorizing the Attorney General to sell or exchange certain law books and certain articles of furniture now in the Attorney General's Department.

House bill No. 361, "An Act to amend Article 642 of the Revised Civil Statutes of Texas, as amended by Chapter 130, Acts of the Regular Session of the Twenty-fifth Legislature; Chapter 43, Acts of the Twenty-sixth Legislature; Chapter 43, Acts of the Twenty-seventh Legislature; Chapter 129, Acts of the Twenty-eighth Legislature; Chapter 62, Acts of the Twenty-ninth Legislature, by adding to said Article 642 a new subdivision, to be known as Subdivision 65, providing for the establishment and maintenance of fishing, hunting and boating clubs, the protection, preservation and propagation of fish and game; the purchase and ownership of such lands and bodies of water as may be desirable in connection therewith; the erection of suitable improvements thereon; and the raising of such live stock for profit only as the preserves of such club will maintain."

House bill No. 327, "An Act to so amend Article 5083, Chapter 2, Title CIV, of the Revised Civil Statutes of the State of Texas, 1895, as to require railroads to report under oath rolling stock operated by them under rental, hire, lease or other form of contract, and to give name and address of true owner; and requiring county tax assessor to properly assess such property, and declaring an emergency."

House bill No. 112, "An Act to require all incorporated stock companies doing a life, fire or marine insurance business within the State of Texas to invest at least 75 per cent of the reserve set apart for the final payment of policies issued in this State in Texas se-

curities and Texas property, and to keep the securities in which such reserve is invested deposited in the vaults of the Treasury of the State of Texas for the security of Texas policyholders."

House bill No. 675, "An Act to incorporate Milford School District in Ellis county as an independent school district, and to provide for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein."

House bill No. 665, "An Act providing for a special road law for the counties of Sabine, Jasper and Newton; creating the office of Superintendent of Public Roads and Bridges; defining his powers and duties; defining the powers and duties of road overseers; defining what persons are subject to work on the public roads, providing proper penalties for a violation of the provisions of this act, and declaring an emergency."

House bill No. 399, "An Act to amend Sections 1, 4, 5, 6 and 11 of Chapter 108, Acts of the Twenty-ninth Legislature, being an act entitled 'An Act regulating the sale of concentrated commercial feeding stuffs and the materials from which they are manufactured; defining concentrated feeding stuffs, and to empower said director to adopt rules and regulations for the enforcement of all the provisions of this act.'"

House bill No. 269, "An Act to repeal, except as hereinafter provided, Chapters 2, 3 and 4 of Title LXII, of the Revised Civil Statutes of the State of Texas, 1895, and Article 3159a of Chapter 4, Title LXII, of the Revised Civil Statutes of Texas, added thereto by the Acts of the Regular Session of the Twenty-ninth Legislature; to repeal Article 647 of Chapter 2, Title VIII, of the Code of Criminal Procedure of the State of Texas, as amended by the Acts of the Regular Session of the Twenty-ninth Legislature; to amend Article 647 of Chapter 2, Title VIII, of the Code of Criminal Procedure of the State of Texas; to provide for the selection of jurors in all counties in Texas having a city or cities therein, which city or cities contain a population of 20,000 or more people; to provide for penalties for the violation of any of the provisions of this act, and to declare an emergency."

House bill No. 20, "An Act to amend Section 114, and add Section 114a, which prescribes for a uniform test, an act passed by the First Called Session of the Twenty-ninth Legislature, entitled 'An Act to regulate elections and to provide penalties for its violation and to repeal the Acts of the Twenty-eighth Leg-

islature of 1903, regulating elections, general, special and primary, and political conventions, approved April 1, 1903; and also to amend Section 120, of said act as amended by the Second Called Session of said Twenty-ninth Legislature.'"

House bill No. 3, "An Act to determine the names and lawful heirs of persons dying intestate and the interest of said heirs in the property of such deceased persons and providing the manner of determining same; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 499, "An Act to grant the right of way to the Texas Midland Railroad and to authorize it to construct and operate a railroad switch or spur track or tracks from a point on the main line of the said Texas Midland Railroad at or near Buda Station, a point or points near the power house at the North Texas Insane Asylum and across and upon said lands belonging to the State of Texas and used in connection with said asylum and to authorize the acquisition of a right of way for such switch or spur track or tracks across and upon other intervening lands belonging to others and to authorize the purchase and erection of a railroad scale near said asylum, and to authorize the board of managers of the North Texas Insane Asylum to enter into a contract with the Texas Midland Railroad for the construction and operation of said switch or spur track or tracks, and to appropriate the necessary funds to procure said right of way and scales to carry out said contract."

House bill No. 697, "An Act to donate land belonging to the State of Texas, situated on Mustang Island, in Nueces county, Texas, to the United States government, on which to locate, construct and maintain engineers' offices and other buildings," etc.

House Concurrent Resolution No. 28, Directing the Governor to accept on the part of the State the invitation extended by the State of Tennessee.

House bill No. 259, "An Act to create a more efficient road system for Bowie county, Texas."

Senate bill No. 306, "An Act to amend House bill No. 565, Chapter 49, of the Special Laws of the State of Texas, passed at the Twenty-ninth Legislature of the said State, beginning on the 15th day of January, 1905, and adjourning on May 14, 1905, and which said act was entitled 'An Act to incorporate the city of Beaumont, to grant it a special char-

ter, and to repeal an act of the Legislature of the State of Texas, approved May 12, 1899, and entitled "An Act to incorporate the city of Beaumont, to grant it a special charter and to fix its boundaries," and to repeal all acts amendatory of said act, and all special charters and amendments thereto heretofore granted to said city of Beaumont, and to declare an emergency, by adding Sections 3, 6 and 7 of said act passed by said Twenty-ninth Legislature, and is found on page 398 of the Special Laws of the State of Texas, passed at the Regular and First Called Sessions of the Twenty-ninth Legislature, and repealing all laws in conflict with amendments herein provided, and declaring an emergency, and striking out Sections 3, 6 and 7, and substituting Sections 3, 6 and 7 as follows."

Senate bill No. 309, "An Act to amend Section 3 of Senate bill No. 80, passed by the Regular Session of the Thirtieth Legislature, and approved February 21, 1907, creating the Blossom Independent School District in Lamar county, Texas, and defining its boundaries."

Senate bill No. 316, "An Act to grant a new charter to the city of Dallas, Dallas county, Texas; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

House bill No. 686, "An Act to create a more efficient road system for Bowie county, and declaring an emergency."

House bill No. 701, "An Act to amend an act passed by the Twenty-ninth Legislature of Texas, Chapter LXXIV, to create a more efficient road system for Brazoria county, Texas."

House bill No. 696, "An Act incorporating the Bowie Independent School District in Montague county, Texas, for free school purposes only."

House Joint Resolution No. 1, Joint resolution amending Section 9 of Article 8 of the Constitution of the State of Texas, providing for the creation of improvement districts in cities of more than 7000 inhabitants and charging one-third of the cost of certain improvements made therein against the abutting property.

House bill No. 547, "An Act to create a more efficient road system for Camp county, Texas."

Senate Substitute bill No. 185, "An Act to amend Article 1081 of the Code of Criminal Procedure, prescribing the compensation of district attorneys to be paid by the State by adding thereto Article 1081a, prescribing the compensation of district attorneys in districts composed of four or more counties."

Senate bill No. 118, "An Act to authorize the Commissioner of the General Land Office, with the consent and approval of the Governor and Attorney General, to sell the guayule, lechuguilla, sotol and other vegetation on school land, and to enter into contracts for the purpose of determining the commercial value of these and all other substances found upon public free school land."

Senate bill No. 141, "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education of such practitioners and to insure better sanitary conditions in barber shops and to prevent the spread of diseases in the State of Texas."

Senate bill No. 244, "An Act authorizing the Governor of Texas and the Superintendent of Public Buildings and Grounds to expend the sum of \$5000, or so much thereof as may be necessary, in purchasing and having erected a suitable monument of Texas granite over the grave of General Sam Houston, at Huntsville, Texas, having said grave enclosed by a suitable iron fence, and for improving and properly caring for such grave, providing an appropriation therefor, and declaring an emergency."

Senate bill No. 219, "An Act to amend Subdivision sixteen (16) of Article 642 of Chapter one hundred and thirty (130) of the Acts of the Regular Session of the Twenty-fifth Legislature, entitled 'An Act to amend Articles 641 and 642, Chapter 2, Title XXI, of the Revised Civil Statutes of Texas, relating to corporations,' and declaring an emergency."

Senate bill No. 119, "An Act to amend Section 1, Chapter 132, of the Acts of the Twenty-ninth Legislature, so as to permit the owners of land or lots sold to the State or to any city or town for taxes to redeem the same."

Senate bill No. 183, "An Act to create in the Department of Agriculture of Texas a Bureau of Cotton Statistics; prescribing the duties of the Commissioner of Agriculture, the county clerks, the public ginners, and prescribing penalties for the violation of this act, and declaring an emergency."

Senate bill No. 52, "An Act to define the duties of railroad companies in this State with respect to shipping live stock, and to require that they promptly furnish cars for such shipments, and fix penalties for failure of such duty."

Senate bill No. 221, "An Act to amend Article 651, Chapter 3, Title XXI, of the Revised Statutes of the State of Texas, and declaring an emergency."

The Chair (President Pro Tem. Skin-

ner) gave notice of signing, and did sign, after their captions had been read, the following House bills:

House bill No. 428, "An Act to amend Chapter 146, Section 20, of the Acts of the Twenty-ninth Legislature, 1905."

House bill No. 131, "An Act to amend Article 2989, Title LVI, of the Revised Civil Statutes, with respect to the granting of injunctions."

ADJOURNMENT.

On motion of Senator Looney, the Senate, at 11 o'clock p. m., adjourned until tomorrow morning at 9 o'clock.

APPENDIX.

COMMITTEE REPORTS.

(Majority Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: A majority of your Judiciary Committee No. 2, to whom was referred

House bill No. 511, A bill to be entitled "An Act to amend Article 3385, Title 69, of the Revised Civil Statutes, of the State of Texas, of 1895, relating to local option so as to exempt from the operation of the articles of said title, wholesale druggists selling alcohol to retail or dispensing druggists, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

LOONEY, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 2, to whom was referred

House bill No. 511, A bill to be entitled "An Act to amend Article 3385, Title 69, of the Revised Civil Statutes of the State of Texas, of 1895, relating to local option so as to exempt from the operation of the articles of said title, wholesale druggists selling alcohol to retail or dispensing druggists, and declaring an emergency,"

Have had the same under consideration, and beg leave to dissent from the

majority report with the recommendation that it do pass and be not printed.

WATSON,
HUDSPETH,
ALEXANDER.

(Floor Report.)

Committee Room,
Austin, Texas, April 10, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

House bill No. 498, A bill to be entitled "An Act providing for the organization, conduct and support of Summer Normal Institutes, providing for the selection of faculties therefor and the prescribing of rules and regulations for their government, and declaring an emergency,"

Have had the same under consideration, and we report it back to the Senate with the recommendation that it do pass and be not printed.

Barrett, Chairman; Harper, Green, Kellie, Meachum, Senter, Paulus.

SEVENTY-FIRST DAY.

Senate Chamber,
Austin, Texas,
Friday, April 12, 1907.

Senate met pursuant to adjournment.

Lieutenant Governor Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Stone, the same was dispensed with.

There being no bills and resolutions,